

IN THE SENATE

SENATE BILL NO. 1226

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO SPACE FORCE; AMENDING SECTION 49-102, IDAHO CODE, TO REVISE A
2 DEFINITION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL
3 CORRECTIONS; AMENDING SECTION 49-415D, IDAHO CODE, TO PROVIDE FOR
4 THE SPACE FORCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION
5 65-502, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 67-9403,
6 IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION;
7 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
8

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

10 SECTION 1. That Section 49-102, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 49-102. DEFINITIONS -- A. (1) "Abandon" means to leave a vehicle on
13 private property without the permission of the person having rights to the
14 possession of the property, or on a highway or other property open to the
15 public for the purposes of vehicular traffic or parking, or ~~upon~~ on or within
16 the right-of-way of any highway, for twenty-four (24) hours or longer.

17 (2) "Abandoned vehicle" means any vehicle observed by an authorized of-
18 ficer or reported by a member of the public to have been left within the lim-
19 its of any highway or ~~upon~~ on the property of another without the consent of
20 the property owner for a period of twenty-four (24) hours or longer, except
21 that a vehicle shall not be considered abandoned if its owner-operator is un-
22 able to remove it from the place where it is located and has notified a law
23 enforcement agency and requested assistance.

24 (3) "Accident" means any event that results in an unintended injury or
25 property damage attributable directly or indirectly to the motion of a motor
26 vehicle or its load, a snowmobile or special mobile equipment.

27 (4) "Actual physical control" means being in the driver's position of a
28 motor vehicle with the motor running or the vehicle moving.

29 (5) "Administrator" means the federal highway administrator, the chief
30 executive of the federal highway administration, an agency within the U.S.
31 department of transportation.

32 (6) "Age of a motor vehicle" means the age determined by subtracting
33 the manufacturer's year designation of the vehicle from the year in which the
34 designated registration fee is paid. If the vehicle has the same manufac-
35 turer's year designation as the year in which the fee is paid, or if a vehicle
36 has a manufacturer's year designation later than the year in which the fee is
37 paid, the vehicle shall be deemed to be one (1) year old.

38 (7) "Agricultural products" means the following unprocessed products:

39 (a) Agricultural, horticultural, floricultural and viticultural prod-
40 ucts;

41 (b) Fruits and vegetable products;

1 (c) Field grains, seeds, hay, sod and nursery stock, and other plants,
2 plant products, plant ~~byproducts~~ by-products, plant waste and plant
3 compost;

4 (d) Livestock, dairy animals, swine, furbearing animals, poultry,
5 eggs, fish and other aquatic species;

6 (e) Other animals, animal products and animal ~~byproducts~~ by-products,
7 animal waste and animal compost; and

8 (f) Bees, bee products and bee ~~byproducts~~ by-products.

9 (8) "Air-conditioning equipment" means mechanical vapor compression
10 refrigeration equipment ~~which that~~ is used to cool the driver's or ~~passenger~~
11 passenger's compartment of any motor vehicle.

12 (9) "Alcohol" or "alcoholic beverage" means:

13 (a) Beer as defined in 26 U.S.C. ~~section~~ 5052(a), of the Internal Rev-
14 enue Code;

15 (b) Wine of not less than one-half of ~~one a~~ percent ~~(.005%)~~ (0.5%) of
16 alcohol by volume; or

17 (c) Distilled spirits as defined in ~~section~~ 26 U.S.C. 5002(a)(8), of
18 the Internal Revenue Code.

19 (10) "Alley" means a public way of limited use intended only to provide
20 access to the rear or side of lots or buildings in urban districts.

21 (11) "All-terrain vehicle" or "ATV" means an all-terrain vehicle or ATV
22 as defined in section 67-7101, Idaho Code.

23 (12) "Amateur radio operator." (See "Radio operator, amateur," section
24 49-119, Idaho Code)

25 (13) "Ambulance" means a motor vehicle designed and used primarily for
26 the transportation of injured, sick, or deceased persons, on stretchers,
27 cots, beds, or other devices for carrying persons in a prone position.

28 (14) "Applicant" means an individual who applies to obtain, transfer,
29 upgrade, or renew a driver's license.

30 (15) "Approved driver training course" means a training course from a
31 school licensed under the provisions of chapter 21 ~~of this title~~ 54, title
32 54, Idaho Code, or a driver training course approved by another United States
33 jurisdiction, provided the course was taken while an individual was a resi-
34 dent of that United States jurisdiction.

35 (16) "Approved testing agency" means a person, firm, association, part-
36 nership or corporation approved by the director of the Idaho state police
37 ~~which that~~ is:

38 (a) In the business of testing equipment and systems;

39 (b) Recognized by the director as being qualified and equipped to do ex-
40 perimental testing; and

41 (c) Not under the jurisdiction or control of any single manufacturer or
42 supplier for an affected industry.

43 (17) "Armed forces" means the army, navy, marine corps, coast guard,
44 space force, and the air force of the United States.

45 (18) "Authorized emergency vehicle." (See "Vehicle," section 49-123,
46 Idaho Code)

47 (19) "Authorized officer" means any member of the Idaho state police, or
48 any regularly employed and salaried deputy sheriff, or other county employee
49 designated to perform the function of removing abandoned vehicles or junk
50 vehicles by the board of county commissioners of the county in which a vehi-

1 cle is located, or any regularly employed and salaried city peace officer or
2 other city employee designated to perform the function of removing abandoned
3 vehicles or junk vehicles by the city council, or a qualified person depu-
4 tized or appointed by the proper authority as reserve deputy sheriff or city
5 policeman, authorized within the jurisdiction in which the abandoned vehi-
6 cle or junk vehicle is located.

7 (20) "Authorized transportation department employee" means any em-
8 ployee appointed by the board to perform duties relating to enforcement of
9 vehicle laws as have been specifically defined and approved by order of the
10 board ~~(see pursuant to section 40-510, Idaho Code)~~.

11 (21) "Auto transporter" means a vehicle combination constructed for the
12 purpose of transporting vehicles.

13 (22) "Autocycle" means a motor vehicle designed to travel on not more
14 than three (3) wheels in contact with the ground and that has a steering wheel
15 and seating that does not require the operator to straddle or sit astride.

16 SECTION 2. That Section 49-415D, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 49-415D. SUPPORT OUR TROOPS PLATES. (1) On and after January 1, 2008,
19 any person who is the owner of a vehicle registered under the provisions of
20 section 49-402, Idaho Code, or registered under any other section of law
21 for which the purchase of special plates is allowed, may apply for and, upon
22 department approval, receive support our troops license plates in lieu of
23 regular license plates. The provisions of this section shall not apply to
24 any vehicle with a registered maximum gross weight over twenty-six thousand
25 (26,000) pounds. Availability of support our troops license plates for
26 other vehicles shall be subject to the rules, policies and procedures of the
27 department.

28 (2) In addition to the regular registration fee required in chapter 4,
29 title 49, Idaho Code, the applicant shall be charged a fee of thirty-five
30 dollars (\$35.00) for the initial issuance of plates, and twenty-five dollars
31 (\$25.00) upon each succeeding annual registration. Ten dollars (\$10.00)
32 of the initial fee and ten dollars (\$10.00) of the renewal fee shall be de-
33 posited in the state highway account and shall be used to fund the cost of
34 administration of this special license plate program. Twenty-five dollars
35 (\$25.00) of each initial fee and fifteen dollars (\$15.00) of each renewal fee
36 shall be transferred by the state treasurer for deposit to the Idaho support
37 our troops, inc.'s principal office located in Boise, Idaho, and shall be
38 used by the Idaho support our troops, inc. as administrator of the funds,
39 to provide support and assistance to the children, dependents and spouses
40 of military service members and armed forces members of the army, navy, air
41 force, marine corps, national guard, space force, coast guard and air na-
42 tional guard and reserves.

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

48 (4) The support our troops license plate shall be of a color and design
49 in accordance with the provisions of section 49-402C, Idaho Code. The design

1 and any slogan on the plate shall be acceptable to the board of directors of
 2 the Idaho support our troops, inc. and shall be approved by the Idaho trans-
 3 portation department utilizing a numbering system as determined by the de-
 4 partment. Initial costs of the plate program, including costs of plate de-
 5 sign, shall be paid by the Idaho support our troops, inc.

6 (5) Sample support our troops license plates may be purchased for a fee
 7 of thirty dollars (\$30.00), ten dollars (\$10.00) of which shall be deposited
 8 in the state highway account and twenty dollars (\$20.00) of which shall be
 9 transferred to the Idaho support our troops, inc.'s principal office lo-
 10 cated in Boise, Idaho, and shall be used to provide support and assistance to
 11 the children, dependents and spouses of military service members and armed
 12 forces members of the army, navy, air force, marine corps, national guard,
 13 space force, coast guard and air national guard and reserves.

14 SECTION 3. That Section 65-502, Idaho Code, be, and the same is hereby
 15 amended to read as follows:

16 65-502. DEFINITIONS. As used in this chapter:

17 (1) "Applicant" means an individual applying for a position with a pub-
 18 lic employer.

19 (2) "Armed forces" means the army, navy, marine corps, coast guard,
 20 space force, air force, and the reserve components thereof.

21 (3) "Civil service position" means a position for which the public em-
 22 ployee is selected from a pool of applicants through a competitive examina-
 23 tion, a merit system or any other rating system based on experience and qual-
 24 ifications.

25 (4) "Disabled veteran" means those veterans separated under honorable
 26 conditions who:

27 (a) Qualify as disabled veterans because they have served on active
 28 duty in the armed forces and have a current service-connected disabil-
 29 ity of ten percent (10%) or more or are receiving compensation related
 30 to a service-connected disability including retirement benefits or
 31 pension from the military or the department of veterans affairs; or

32 (b) Are purple heart recipients.

33 (5) "Honorable conditions" means an honorable discharge or a general
 34 discharge "under honorable conditions."

35 (6) "Initial appointment" means the first time a qualified veteran is
 36 hired by a county or a municipal government or the state, provided however,
 37 subsequent separation from the county, municipal government or the state
 38 shall not result in the award of new preference or preference points with
 39 that governmental entity. "Initial appointment" shall not include:

40 (a) Jobs held by patients, inmates or students in or enrolled at a state
 41 institution;

42 (b) Temporary or casual employment; or

43 (c) An office filled by election.

44 (7) "Key employee" means an individual specifically hired for an "at
 45 will" position that is not a civil service position and where:

46 (a) The position requires an advanced degree and the exercise of inde-
 47 pendent judgment for a majority of the public employee's duties;

1 (b) The primary duty of the position is the management of a department
2 or subdivision of the public employer and the position requires the ex-
3 ercise of independent judgment for a majority of position duties;

4 (c) The primary duty of the position is administrative work arising
5 from the management of a department or subdivision of the public em-
6 ployer or administrative work arising from the exercise of the duties of
7 an elected official and the public employee holds a confidential rela-
8 tionship to the appointing or employing officer or elected official; or

9 (d) The primary duty of the position is to provide advice or consulta-
10 tion to an elected official and the public employee holds a confidential
11 relationship to the elected official.

12 (8) "Military duty" means training and service performed by an in-
13 ductee, enlistee or reservist or any entrant into a component of the armed
14 forces of the United States, provided "military duty" shall not include ac-
15 tive duty training as a reservist in the armed forces of the United States or
16 as a member of the national guard of the United States where the call is for
17 training only.

18 (9) "Position" means a job held by a public employee but shall not in-
19 clude:

20 (a) A job held by a patient, inmate or student in or enrolled at a state
21 institution;

22 (b) Temporary or casual employment; or

23 (c) An office filled by election.

24 (10) "Preference eligible" means an individual eligible for preference
25 under section 65-503, Idaho Code.

26 (11) "Public employee" means any person holding a position in public
27 employment.

28 (12) "Public employer" means any government, department or agency men-
29 tioned in subsection (13) of this section employing a public employee in a
30 position.

31 (13) "Public employment" means employment by the government of this
32 state, or by any county, municipality or other political subdivision of the
33 state, including any department or agency thereof.

34 (14) "Register" means a list of names of persons who have been deter-
35 mined to be eligible for employment in a civil service position.

36 (15) "Service-connected disability" means that the veteran is disabled
37 due to injury or illness that was incurred in or aggravated by military ser-
38 vice as certified by the federal veterans administration or an agency of the
39 department of defense.

40 (16) "Temporary or casual employment" means employment for a brief,
41 nonrecurrent period where there is no reasonable expectation that such em-
42 ployment will continue indefinitely or for a significant period of time.

43 SECTION 4. That Section 67-9403, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 67-9403. DEFINITIONS. As used in this chapter:

46 (1) "Honorable conditions" means an honorable discharge or a general
47 discharge "under honorable conditions."

48 (2) "Licensing authority" means any agency, bureau, commission, de-
49 partment, division, or professional or occupational licensing board charged

1 with granting, suspending, or revoking the license, certificate, registra-
2 tion, permit, or other authorization of any person to practice a profession
3 or occupation, including but not limited to the professional and occupa-
4 tional licensing boards within the department of self-governing agencies.
5 The term licensing authority does not include the board of commissioners
6 of the Idaho state bar as established pursuant to chapter 4, title 3, Idaho
7 Code, or the Idaho supreme court.

8 (3) "Licensure" means a license, certificate, registration, permit, or
9 other authorization of any person to practice a profession or occupation.

10 (4) "Military" means the armed forces or reserves of the United States,
11 including the army, navy, marine corps, coast guard, space force, air force,
12 and the reserve components thereof, the national guard of any state, the mil-
13 itary reserves of any state, or the naval militia of any state.

14 (5) "Veteran" means any person who has been discharged or released from
15 active duty in the armed forces under honorable conditions, provided the
16 person has served on active duty for a minimum of one hundred eighty (180)
17 consecutive days.

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