

IN THE SENATE

SENATE BILL NO. 1275

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE TRAFFIC SAFETY EDUCATION PROGRAM; AMENDING CHAPTER 8, TI-
2 TLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-827, IDAHO CODE,
3 TO PROVIDE THE BOARD OF COUNTY COMMISSIONERS IN EACH COUNTY WITH THE AU-
4 THORITY TO ESTABLISH A TRAFFIC SAFETY EDUCATION PROGRAM, TO PROVIDE RE-
5 QUIREMENTS FOR SUCH PROGRAM AND TO PROVIDE FOR THE IMPOSITION AND DE-
6 POSIT OF CERTAIN FEES; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE
7 ADDITION OF A NEW SECTION 50-336, IDAHO CODE, TO PROVIDE CITIES WITH THE
8 AUTHORITY TO ESTABLISH A TRAFFIC SAFETY EDUCATION PROGRAM, TO PROVIDE
9 REQUIREMENTS FOR SUCH PROGRAM AND TO PROVIDE FOR THE IMPOSITION AND DE-
10 POSIT OF CERTAIN FEES; AMENDING SECTION 19-5116, IDAHO CODE, TO PROVIDE
11 CODE REFERENCES; AND AMENDING SECTION 1-1623, IDAHO CODE, TO PROVIDE
12 CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.
13

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

15 SECTION 1. That Chapter 8, Title 31, Idaho Code, be, and the same is
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
17 ignated as Section 31-827, Idaho Code, and to read as follows:

18 31-827. TRAFFIC SAFETY EDUCATION PROGRAM -- FEES. (1) The board of
19 county commissioners in their respective counties may establish, by or-
20 dinance, a traffic safety education program for the purpose of educating
21 drivers in traffic safety concepts. Attendance at a traffic safety educa-
22 tion program shall be voluntary and shall serve as a remedial action for an
23 infraction violation in lieu of or as an alternative to the issuance of an
24 Idaho uniform citation pursuant to the provisions of section 49-1501, Idaho
25 Code. Any person who fails to attend a traffic safety education program af-
26 ter voluntarily acknowledging their commitment to so attend may be charged
27 with the infraction violation by complaint or by uniform citation.

28 (2) The board of county commissioners shall impose and collect fees
29 from persons who attend a traffic safety education program established
30 within the county. Such fees shall be paid to the county treasurer who shall,
31 within five (5) days after the end of the month, pay an amount of such fee
32 as provided in section 31-3201B, Idaho Code, to the state treasurer for de-
33 posit in the peace officers standards and training fund and pay ten dollars
34 (\$10.00) of such fee to the state treasurer for deposit in the ISTARS tech-
35 nology fund and pay any remaining amount of such fee to the county general
36 fund.

37 SECTION 2. That Chapter 3, Title 50, Idaho Code, be, and the same is
38 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
39 ignated as Section 50-336, Idaho Code, and to read as follows:

1 50-336. TRAFFIC SAFETY EDUCATION PROGRAM -- FEES. (1) Cities may es-
2 tablish, by ordinance, a traffic safety education program for the purpose
3 of educating drivers in traffic safety concepts. Attendance at a traffic
4 safety education program shall be voluntary and shall serve as a remedial ac-
5 tion for an infraction violation in lieu of or as an alternative to the is-
6 surance of an Idaho uniform citation pursuant to the provisions of section
7 49-1501, Idaho Code. Any person who fails to attend a traffic safety educa-
8 tion program after voluntarily acknowledging their commitment to so attend
9 may be charged with the infraction violation by complaint or by uniform cita-
10 tion.

11 (2) The city shall impose and collect fees from persons who attend a
12 traffic safety education program established within the city. Such fees
13 shall be paid to the city treasurer who shall, within five (5) days after the
14 end of the month, pay an amount of such fee as provided in section 31-3201B,
15 Idaho Code, to the state treasurer for deposit in the peace officers stan-
16 dards and training fund and pay ten dollars (\$10.00) of such fee to the state
17 treasurer for deposit in the ISTARS technology fund and pay any remaining
18 amount of such fee to the city general fund.

19 SECTION 3. That Section 19-5116, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 19-5116. PEACE OFFICERS STANDARDS AND TRAINING FUND. (a) There is
22 hereby established in the state treasury, the peace officers standards and
23 training fund. All moneys deposited to the fund shall be expended by the
24 peace officer standards and training council for the following purposes:

25 (1) Training peace officers, county detention officers, and self-spon-
26 sored students within the state of Idaho, including, but not limited to,
27 sheriffs and their deputies, officers of the Idaho state police and con-
28 servation officers of the Idaho department of fish and game, and city
29 and county prosecutors and their deputies;

30 (2) Salaries, costs and expenses relating to such training as provided
31 in subsection (1) of this section;

32 (3) Such capital expenditures as the peace officer standards and train-
33 ing council may provide for the acquisition, construction and/or im-
34 provement of a peace officer standards and training academy; and

35 (4) Such expenditures as may be necessary to aid approved peace offi-
36 cers training programs or county detention officer programs certified
37 as having met the standards established by the peace officer standards
38 and training council.

39 (b) The peace officers standards and training fund shall be funded as
40 provided in sections 31-827, 31-3201A, ~~and 31-3201B~~ and 50-336, Idaho Code.

41 (c) All contributions and other moneys and appropriations which are
42 designated for peace officers standards and training shall be deposited in
43 the peace officers standards and training fund.

44 (d) Moneys received into the fund as provided in subsection (c) of this
45 section, shall be accounted for separately.

46 (e) If the fiscal year-end balance in the fund pursuant to sections
47 31-3201A and 31-3201B, Idaho Code, exceeds one million dollars (\$1,000,000)
48 the excess shall revert to the general fund.

1 (f) Moneys received into the fund pursuant to the provisions of sec-
2 tion 31-3201D, Idaho Code, shall be used for the purposes of providing basic
3 training, continuing education and certification of misdemeanor probation
4 officers whether those officers are employees of or by private sector con-
5 tract with a county.

6 SECTION 4. That Section 1-1623, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 1-1623. IDAHO STATEWIDE TRIAL COURT AUTOMATED RECORDS SYSTEM (ISTARS)
9 TECHNOLOGY FUND. There is hereby created in the office of the state treasurer
10 the ISTARS technology fund. Moneys deposited into the fund pursuant to sec-
11 tions 31-827, 31-3201, 31-3201A, 31-3201H, ~~and~~ 31-3221 and 50-336, Idaho
12 Code, upon appropriation by the legislature, shall be used by the supreme
13 court for the purpose of maintaining, replacing and enhancing the Idaho
14 ~~S~~statewide ~~T~~trial ~~C~~court ~~A~~utomated ~~R~~ecords ~~S~~ystem (ISTARS) program, and
15 other technologies that assist in the efficient management of the courts,
16 including a system for payments by credit card or debit card as provided in
17 section 31-3221, Idaho Code, or that improve access to the courts and court
18 records. The ISTARS technology fund shall be separate and distinct from
19 the state general fund, and expenditures from the ISTARS technology fund
20 shall be solely dedicated to the purposes set forth in this section. Moneys
21 deposited into the fund may be allowed to accumulate from year to year for
22 designated maintenance, replacement, extension or enhancement of the ISTARS
23 program and for other technologies that assist in the efficient management
24 of the courts. Interest earned on the investment of idle moneys in the ISTARS
25 technology fund shall be returned to the ISTARS technology fund.