

IN THE SENATE

SENATE BILL NO. 1312

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE
2 THAT SPECIFIED OPERATING FEES SHALL NOT APPLY TO CERTAIN CONSTRUCTION
3 EQUIPMENT, FORESTRY EQUIPMENT AND LAWN AND GROUNDS EQUIPMENT.
4

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

6 SECTION 1. That Section 49-426, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 49-426. EXEMPTIONS FROM OPERATING FEES. The provisions of this chap-
9 ter with respect to operating fees shall not apply to:

10 (1) Motor vehicles owned or leased by the United States, the state, a
11 city, a county, any department thereof, any political subdivision or munic-
12 ipal corporation of the state, any taxing district of the state, any state
13 registered nonprofit subscription fire protection unit, or any organiza-
14 tion, whether incorporated or unincorporated, organized for the operation,
15 maintenance, or management of an irrigation project or irrigation works or
16 system or for the purpose of furnishing water to its members or shareholders,
17 but in other respects shall be applicable.

18 (2) Farm tractors, implements of husbandry, those manufactured homes
19 which qualify for an exemption under the provisions of section 49-422, Idaho
20 Code, road rollers, wheel mounted tar buckets, portable concrete and/or
21 mortar mixers, wheel mounted compressors, tow dollies, portable toilet
22 trailers, street sweepers, other construction equipment, forestry equip-
23 ment, lawn and grounds equipment and similar devices as determined by the
24 department which are temporarily operated or moved upon the highways need
25 not be registered under the provisions of this chapter, nor shall implements
26 of husbandry be considered towed units under registration of vehicle combi-
27 nations as defined in section 49-108(2), Idaho Code. In addition, self-pro-
28 pelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf
29 carts, lawn mowers, and scooters operated by persons who by reason of phys-
30 ical disability are otherwise unable to move about as pedestrians shall be
31 exempt from registration requirements under the provisions of this chapter.
32 Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles
33 need not be licensed under the provisions of this chapter or registered pur-
34 suant to the provisions of section 67-7122, Idaho Code, if they are being
35 used exclusively in connection with agricultural, horticultural, dairy and
36 livestock growing and feeding operations or used exclusively for snow re-
37 moval purposes. Travel upon the public highways shall be limited to travel
38 between farm or ranch locations. Motorcycles, motorbikes, utility type ve-
39 hicles and all-terrain vehicles used for this purpose shall meet the emblem
40 requirements of section 49-619, Idaho Code.

41 (3) Any political subdivision of the state of Idaho may, but only af-
42 ter sufficient public notice is given and a public hearing held, adopt local

1 ordinances or resolutions designating highways or sections of highways un-
2 der its jurisdiction which are closed to all-terrain vehicles, utility type
3 vehicles, specialty off-highway vehicles and motorbikes licensed pursuant
4 to this chapter and registered pursuant to section 67-7122, Idaho Code. The
5 operation of licensed and registered all-terrain vehicles, utility type ve-
6 hicles and motorbikes and those vehicles exempt from licensing and regis-
7 tration pursuant to subsection (2) of this section shall not be permitted on
8 controlled access highways. The requirements of title 18 and chapters 2, 3,
9 6, 8, 12, 13 and 14, title 49, Idaho Code, shall apply to the operation of
10 any all-terrain vehicle, utility type vehicle or motorbike upon highways.
11 Costs related to the posting of signs on highways or sections of highways
12 that are closed to such vehicles, indicating the ordinance, are eligible for
13 reimbursement through the motorbike recreation account created in section
14 67-7126, Idaho Code.

15 (4) The Idaho transportation board may designate sections of state
16 highways over which all-terrain vehicles, utility type vehicles, specialty
17 off-highway vehicles and motorbikes may cross. The requirements of title
18 18, and chapters 2, 3, 6, 8, 12, 13 and 14, title 49, Idaho Code, shall apply
19 to the operation of all-terrain vehicles, utility type vehicles, specialty
20 off-highway vehicles and motorbikes when using designated crossings on
21 state highways.

22 (5) All-terrain vehicles, utility type vehicles, specialty off-high-
23 way vehicles and motorbikes may be used on highways located on state lands or
24 federal lands which are not part of the highway system of the state of Idaho,
25 provided the registration requirements of section 67-7122, Idaho Code, are
26 met.