

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 120

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1 STATING LEGISLATIVE FINDINGS AND APPROVING PENDING RULES OF THE IDAHO STATE  
2 POLICE AND IDAHO TRANSPORTATION DEPARTMENT REVIEWED BY THE SENATE  
3 TRANSPORTATION COMMITTEE AND THE HOUSE TRANSPORTATION AND DEFENSE COM-  
4 MITTEE WITH AN EXCEPTION.  
5

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

7 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must  
8 approve pending administrative rules by adoption of a concurrent resolu-  
9 tion; and

10 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any  
11 pending rule that is not approved by adoption of a concurrent resolution  
12 shall expire upon adjournment sine die of the legislative session during  
13 which the agency submits the pending rule to the Legislature for review; and

14 WHEREAS, the Senate Transportation Committee and the House Transporta-  
15 tion and Defense Committee reviewed pending rules adopted by the Idaho State  
16 Police and the Idaho Transportation Department; and

17 WHEREAS, it is the finding of the Legislature that rules of the Idaho  
18 State Police, the Motor Carrier Rules, are not consistent with legislative  
19 intent because it is a critical exemption for motor carriers that needs to  
20 remain in place; and

21 WHEREAS, the Legislature finds that it is in the public interest to  
22 adopt this resolution.

23 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular  
24 Session of the Sixty-seventh Idaho Legislature, the Senate and the House  
25 of Representatives concurring therein, that the following pending rules  
26 adopted by the Idaho Transportation Department, pursuant to the Administra-  
27 tive Procedure Act and submitted through the Office of the Administrative  
28 Rules Coordinator to the Legislature for review during the 2024 legislative  
29 session and reviewed by the Senate Transportation Committee and the House  
30 Transportation and Defense Committee, be, and the same are hereby approved:

31 (1) 39.02.04, Rules Governing Manufacturer and New Vehicle Dealer  
32 Hearing Fees, Docket No. 39-0204-2301;

33 (2) 39.02.22, Rules Governing Registration and Permit Fee Administra-  
34 tion and Temporary Vehicle Clearance for Carriers, Docket No. 39-0222-2301;

35 (3) 39.02.42, Rules Governing Conditional Vehicle Registration When  
36 Proof of Ownership is Insufficient, Docket No. 39-0242-2301;

37 (4) 39.02.46, Rules Governing Temporary Motor Vehicle Registration  
38 Permit, Docket No. 39-0246-2301;

39 (5) 39.02.60, Rules Governing License Plate Provisions, Docket No.  
40 39-0260-2301;

41 (6) 39.02.76, Rules Governing Driver's License and Identification Card  
42 Renewal-By-Mail and Electronic Renewal and Replacement Processes, Docket  
43 No. 39-0276-2301;

1 (7) 39.03.01, Rules Governing Definitions Regarding Special Permits,  
2 Docket No. 39-0301-2301;

3 (8) 39.03.02, Rules Governing Movement of Disabled Vehicles, Docket  
4 No. 39-0302-2301;

5 (9) 39.03.03, Rules Governing Special Permits - General Conditions and  
6 Requirements, Docket No. 39-0303-2301;

7 (10) 39.03.04, Rules Governing Special Permits - Overweight Non-Re-  
8 ducible, Docket No. 39-0304-2301;

9 (11) 39.03.05, Rules Governing Special Permits - Oversize Non-Re-  
10 ducible, Docket No. 39-0305-2301;

11 (12) 39.03.06, Rules Governing Special Permits for Extra-Length / Ex-  
12 cess Weight, Up to 129,000 Pound Vehicle Combinations, Docket No. 39-0306-  
13 2301;

14 (13) 39.03.07, Rules Governing Special Permits for Reducible Loads,  
15 Docket No. 39-0307-2301;

16 (14) 39.03.08, Rules Governing Self-Propelled Snowplows, Docket No.  
17 39-0308-2301;

18 (15) 39.03.40, Rules Governing Junkyards and Dumps, Docket No.  
19 39-0340-2301;

20 (16) 39.03.42, Rules Governing Highway Right-of-Way Encroachments on  
21 State Rights-of-Way, Docket No. 39-0342-2301;

22 (17) 39.03.50, Rules Governing Safety Rest Areas, Docket No. 39-0350-  
23 2301; and

24 (18) 39.04.01, Rules Governing Aeronautics and Aviation, Docket No.  
25 39-0401-2301.

26 BE IT FURTHER RESOLVED that pending rules adopted by the Idaho State Po-  
27 lice, pursuant to the Administrative Procedure Act and submitted through the  
28 Office of the Administrative Rules Coordinator to the Legislature for review  
29 during the 2024 legislative session and reviewed by the Senate Transporta-  
30 tion Committee and the House Transportation and Defense Committee, be, and  
31 the same are hereby approved, with the exception of, the Motor Carrier Rules,  
32 IDAPA 11.13.01, Docket No. 11-1301-2301, Section 019., Subsection 01.b.,  
33 only, is hereby rejected and not approved, and thereby pursuant to Section  
34 67-5291, Idaho Code, shall expire upon adjournment sine die of the legisla-  
35 tive session and be null, void, and of no force and effect.