

IN THE SENATE

SENATE BILL NO. 1175

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE  
A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE,  
BY THE ADDITION OF A NEW SECTION 49-420Q, IDAHO CODE, TO PROVIDE FOR TOO  
GREAT FOR HATE LICENSE PLATES.

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

SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby  
amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each  
pickup truck, each neighborhood electric vehicle and each other motor ve-  
hicle having a maximum gross weight not in excess of eight thousand (8,000)  
pounds and that complies with the federal motor vehicle safety standards as  
defined in section 49-107, Idaho Code, shall be:

- Vehicles one (1) and two (2) years old .....\$69.00
- Vehicles three (3) and four (4) years old .....\$57.00
- Vehicles five (5) and six (6) years old .....\$57.00
- Vehicles seven (7) and eight (8) years old .....\$45.00
- Vehicles over eight (8) years old .....\$45.00

There shall be twelve (12) registration periods, starting in January  
for holders of validation registration stickers numbered 1, and proceed-  
ing consecutively through December for holders of validation registration  
stickers numbered 12, each of which shall start on the first day of a calendar  
month and end on the last day of the twelfth month from the first day of the  
beginning month. Registration periods shall expire midnight on the last day  
of the registration period in the year designated by the validation regis-  
tration sticker. The numeral digit on the validation registration stickers  
shall, as does the registration card, fix the registration period under the  
staggered registration system for the purpose of reregistration and notice  
of expiration.

A vehicle that has once been registered for any of the above-designated  
periods shall, upon reregistration, be registered for the period bearing the  
same number, and the registration card shall show and be the exclusive proof  
of the expiration date of registration and licensing. Vehicles may be ini-  
tially registered for less than a twelve (12) month period, or for more than a  
twelve (12) month period, and the fee prorated on a monthly basis if the frac-  
tional registration tends to fulfill the purpose of the monthly series reg-  
istration system.

(2) For all school buses operated either by a nonprofit, nonpublic  
school or operated pursuant to a service contract with a school district for  
transporting children to or from school or in connection with school-ap-  
proved activities, the annual fee shall be twenty-four dollars (\$24.00) and

1 shall be subject to staggered registration for the purpose of reregistration  
2 and notice of expiration.

3 (3) For all motorcycles and motor-driven cycles that comply with the  
4 federal motor vehicle safety standards, operated upon the public highways,  
5 the annual fee shall be nineteen dollars (\$19.00) and shall be subject to  
6 staggered registration for the purpose of reregistration and notice of ex-  
7 piration.

8 (4) For operation of an all-terrain vehicle, utility type vehicle or  
9 motorbike, excluding a motorbike with an engine displacement of fifty (50)  
10 cubic centimeters or less, on city, county or highway district roads or  
11 highways open to such use, a restricted vehicle license plate fee pursuant  
12 to section 49-450, Idaho Code, shall be paid. In addition, the registration  
13 fee specified in section 67-7122, Idaho Code, shall be paid as provided in  
14 section 67-7122, Idaho Code. The registration and restricted vehicle li-  
15 cense plate exemption provided in section 49-426(2), Idaho Code, applies  
16 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles  
17 used for the purposes described in section 49-426(2), Idaho Code. Nonres-  
18 idents shall be allowed to purchase a restricted vehicle license plate and  
19 sticker for an all-terrain vehicle, utility type vehicle or motorbike.

20 (5) For all motor homes, the fee shall be as specified in subsection (1)  
21 of this section and shall be in addition to the fees provided for in section  
22 49-445, Idaho Code.

23 (6) Registration fees shall not be subject to refund.

24 (7) A financial institution or repossession service contracted to  
25 a financial institution repossessing vehicles under the terms of a secu-  
26 rity agreement shall move the vehicle from the place of repossession to the  
27 financial institution's place of business on a repossession plate. The  
28 repossession plate shall also be used for demonstrating the vehicle to a  
29 prospective purchaser for a period not to exceed ninety-six (96) hours. The  
30 registration fees for repossession plates shall be as required in subsection  
31 (1) of this section for a vehicle one (1) and two (2) years old. All other  
32 fees required under chapter 4, title 49, Idaho Code, shall be in addition to  
33 the registration fee. The repossession plate shall be subject to staggered  
34 registration for the purpose of reregistration and notice of expiration.

35 (8) A wrecker or towing business engaged in the process of towing motor-  
36 ized vehicles, which have been wrecked, abandoned, salvaged or may be dis-  
37 abled, may apply for a wrecker plate to be displayed on those vehicles being  
38 towed, provided the power unit is properly registered under this chapter.  
39 The registration fees for wrecker plates shall be as required in subsection  
40 (1) of this section for a vehicle one (1) and two (2) years old. All other  
41 fees required under chapter 4, title 49, Idaho Code, shall be in addition to  
42 the registration fee and shall be subject to staggered registration for the  
43 purpose of reregistration and notice of expiration.

44 (9) In addition to the annual registration fee in this section, there  
45 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-  
46 nual program fee of fifteen dollars (\$15.00) for all special license plate  
47 programs for those license plates issued pursuant to sections 49-404A,  
48 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For  
49 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,  
50 there shall be an initial program fee of twenty-five dollars (\$25.00) but

1 there shall be no annual renewal fee. For special plates issued pursuant  
 2 to sections 49-415D, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-418A,  
 3 49-418B, 49-418C, 49-419, 49-419A, 49-419C, 49-419E, 49-420, 49-420A,  
 4 49-420B, 49-420C, 49-420D, 49-420E, 49-420J, 49-420K, 49-420L, 49-420M,  
 5 49-420N, 49-420O, ~~and 49-420P, and 49-420Q~~, Idaho Code, and any new special  
 6 plate program effective on and after January 1, 2013, pursuant to section  
 7 49-402D, Idaho Code, there shall be an initial program fee of thirty-five  
 8 dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00).  
 9 The fees contained in this subsection shall be applicable to all new special  
 10 plate programs and shall be subject to staggered registration for the pur-  
 11 pose of reregistration and notice of expiration. The initial program fee  
 12 and the annual program fee shall be deposited in the state highway account  
 13 and shall be used to fund the cost of administration of special license plate  
 14 programs, unless otherwise specified by law.

15 (10) Any vehicle that does not meet federal motor vehicle safety stan-  
 16 dards shall not be registered and shall not be permitted to operate on public  
 17 highways of the state, as defined in section 40-117, Idaho Code, unless oth-  
 18 erwise specifically authorized.

19 (11) In addition to annual registration fees as provided in this sec-  
 20 tion, registrants may pay a fee to purchase an Idaho state parks passport  
 21 authorizing resident motor vehicle entry into all Idaho state parks. Reg-  
 22 istrants may pay the fee for a one (1) year or two (2) year period of time.  
 23 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars  
 24 (\$20.00) for two (2) years. All fees collected pursuant to this subsection  
 25 shall be deposited into the park and recreation fund and shall be subject to  
 26 appropriation. Fees collected pursuant to this subsection shall not be con-  
 27 sidered a motor vehicle registration fee as provided in section 17, article  
 28 VII, of the constitution of the state of Idaho.

29 SECTION 2. That Chapter 4, Title 49, Idaho Code, be, and the same is  
 30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 31 ignated as Section 49-420Q, Idaho Code, and to read as follows:

32 49-420Q. TOO GREAT FOR HATE LICENSE PLATES. (1) Any person who is the  
 33 owner of a vehicle registered under the provisions of section 49-402, Idaho  
 34 Code, or registered under any other section of law for which the purchase of  
 35 special plates is allowed, may apply for and, upon department approval, re-  
 36 ceive too great for hate plates in lieu of regular license plates. The provi-  
 37 sions of this section shall not apply to any vehicle with a registered maxi-  
 38 mum gross weight over twenty-six thousand (26,000) pounds. Availability of  
 39 too great for hate license plates for other vehicles shall be subject to the  
 40 rules, policies, and procedures of the department.

41 (2) In addition to the regular registration fee required in chapter 4,  
 42 title 49, Idaho Code, the applicant shall be charged a fee of thirty-five  
 43 dollars (\$35.00) for the initial issuance of plates, and twenty-five dol-  
 44 lars (\$25.00) upon each succeeding annual registration. Thirteen dollars  
 45 (\$13.00) of the initial fee and thirteen dollars (\$13.00) of the renewal fee  
 46 shall be deposited in the state highway account and shall be used to fund the  
 47 cost of administration of this special license plate program. Twenty-two  
 48 dollars (\$22.00) of each initial fee and twelve dollars (\$12.00) of each re-  
 49 newal fee shall be transferred by the state treasurer to the Wassmuth center

1 for human rights and shall be used to sustain and expand educational program-  
2 ming in the Idaho Anne Frank human rights memorial.

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

8 (4) The too great for hate license plate shall be of a color and design  
9 in accordance with the provisions of section 49-402C, Idaho Code. The de-  
10 sign and any slogan on the plate shall be acceptable to the Wassmuth center  
11 for human rights and shall be approved by the Idaho transportation depart-  
12 ment utilizing a numbering system as determined by the department. Initial  
13 costs of the plate program, including costs of plate design, shall be paid by  
14 the Wassmuth center for human rights.

15 (5) Sample too great for hate license plates may be purchased for a fee  
16 of thirty dollars (\$30.00), thirteen dollars (\$13.00) of which shall be de-  
17 posited in the state highway account and seventeen dollars (\$17.00) of which  
18 shall be transferred to the Wassmuth center for human rights to be used for  
19 the purpose stated in subsection (2) of this section.