

IN THE SENATE

SENATE BILL NO. 1306

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-104, IDAHO
2 CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
3 SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION
4 49-115, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-305,
5 IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO COMMERCIAL LEARNER'S
6 PERMITS; AMENDING SECTION 49-306, IDAHO CODE, TO ESTABLISH PROVISIONS
7 RELATING TO APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT; AMEND-
8 ING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 354,
9 LAWS OF 2013, TO ESTABLISH PROVISIONS RELATING TO APPLICATION FOR A
10 COMMERCIAL LEARNER'S PERMIT; AMENDING SECTION 49-313, IDAHO CODE, TO
11 ESTABLISH PROVISIONS RELATING TO A CERTAIN EXAMINATION; AND PROVIDING
12 AN EFFECTIVE DATE.
13

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

15 SECTION 1. That Section 49-104, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 49-104. DEFINITIONS -- C. (1) "Cancellation of driver's license"
18 means the annulment or termination by formal action of the department of a
19 person's driver's license because of some error or defect in the driver's
20 license or because the licensee is no longer entitled to the driver's li-
21 cense. The cancellation of a driver's license is without prejudice and after
22 compliance with requirements, the individual may apply for a new driver's
23 license at any time after cancellation.

24 (2) "Caravanning" means the transportation of any motor vehicle into,
25 out of, or within the state operating on its own wheels or in tow for the pur-
26 pose of sale or offer of sale by any agent, dealer, manufacturer's represen-
27 tative, purchaser, or prospective purchaser, regardless of residence unless
28 the motor vehicle is licensed by the state of Idaho, or is owned by an auto-
29 mobile dealer, duly licensed as a dealer by this state. It shall also be con-
30 sidered as the transportation of property for hire by a motor vehicle upon
31 the highways of this state.

32 (3) "Certificate of liability insurance" means a certificate of lia-
33 bility insurance issued by an insurance company authorized to do business
34 in this state or a certificate of liability insurance issued by the depart-
35 ment of insurance which demonstrates current insurance against loss result-
36 ing from liability imposed by law for bodily injury or death or damage to
37 property suffered by any person caused by accident and arising out of the op-
38 eration, maintenance or use of a motor vehicle described in the certificate
39 in an amount not less than that required by section 49-117(18), Idaho Code,
40 and also demonstrates the current existence of any other coverage required
41 by title 41, Idaho Code, or a certificate of self-insurance issued pursuant
42 to law for each motor vehicle to be registered. A certificate of liability

1 insurance shall contain the information required by the department of insur-
2 ance, including the name and address of the owner of the motor vehicle and a
3 description of the motor vehicle including identification number if there is
4 one, or a statement that all vehicles owned by a person or entity are covered
5 by insurance, the inception date of coverage, and the name of the insurer.
6 "Certificate of liability insurance" may also include the original contract
7 of liability insurance or a true copy, demonstrating the current existence
8 of the liability insurance described in this subsection.

9 (4) "Certification of safety compliance" means that a motor carrier
10 certifies as part of its registration process that it has knowledge of the
11 federal regulations and rules promulgated by the Idaho transportation de-
12 partment and the Idaho state police applicable to motor carriers.

13 (5) "Chains" means metal traction devices required pursuant to section
14 49-948, Idaho Code, which consist of two (2) circular metal loops, one (1)
15 on each side of the tire, connected by not less than nine (9) ~~evenly-spaced~~
16 evenly spaced chains across the tire tread.

17 (6) "Coerce" means to compel or attempt to compel by threat or use of
18 force.

19 (7) "Commercial coach." (See section 39-4301, Idaho Code)

20 (8) "Commercial driver's license" means any class A, class B or class C
21 driver's license as defined in section 49-105, Idaho Code.

22 (9) "Commercial driver license information system (CDLIS)" is the in-
23 formation system established to serve as a clearinghouse for locating infor-
24 mation related to the licensing and identification of motor vehicle drivers.

25 (10) "Commercial driver training school" means a business enterprise
26 conducted by an individual, association, partnership, or corporation, for
27 the education and training of persons, either practically or theoretically,
28 or both, to operate or drive motor vehicles, and charging a consideration or
29 tuition for such services.

30 (11) "Commercial learner's permit" means a permit issued to an in-
31 dividual by a state or other jurisdiction of domicile, in accordance with
32 the standards contained in 49 CFR 383.5, which, when carried with a valid
33 driver's license issued by the same state or jurisdiction, authorizes the
34 individual to operate a commercial vehicle when accompanied by a holder of
35 a valid commercial driver's license (CDL) for purposes of behind-the-wheel
36 training.

37 (12) "Commercial vehicle" or "commercial motor vehicle." (See "Vehi-
38 cle," section 49-123, Idaho Code)

39 (123) "Compliance review" means an on-site examination of motor car-
40 rier operations, which may be at the carrier's place of business, including
41 driver's hours of service, vehicle maintenance and inspection, driver
42 qualifications, commercial driver's license requirements, financial re-
43 sponsibility, accidents, hazardous materials, and such other related safety
44 and transportation records to determine safety fitness.

45 (134) "Controlled substance" means any substance so classified under
46 section 102(6) of the controlled substances act, 21 U.S.C. 802(6), and in-
47 cludes all substances listed on schedules I through V, of 21~~7~~ CFR part 1308,
48 as they may be revised from time to time.

49 (145) "Conviction" means:

1 (a) The person has pled guilty or has been found guilty, notwithstanding
 2 the form of the judgment or withheld judgment. A conviction for pur-
 3 poses of this title shall also include an infraction judgment.

4 (b) For purposes of disqualification or withdrawal of commercial vehi-
 5 cle driving privileges only, "conviction" means an unvacated adjudica-
 6 tion of guilt, or determination that a person has violated or failed to
 7 comply with the law in a court of original jurisdiction or by an autho-
 8 rized administrative tribunal, an unvacated forfeiture of bail or col-
 9 lateral deposited to secure the person's appearance in court, a plea of
 10 guilty or nolo contendere accepted by the court, the payment of a fine or
 11 court cost, or violation of a condition of release without bail, regard-
 12 less of whether or not the penalty is rebated, suspended or probated.

13 (156) "Crosswalk" means:

14 (a) That part of a highway at an intersection included within the con-
 15 nections of the lateral lines of the sidewalks on opposite sides of the
 16 highway measured from the curbs or in the absence of curbs, from the
 17 edges of the traversable highway; and in the absence of a sidewalk on one
 18 side of the highway, that part of a highway included within the exten-
 19 sion of the lateral lines of the existing sidewalk at right angles to the
 20 centerline.

21 (b) Any portion of a highway at an intersection or elsewhere distinctly
 22 indicated for pedestrian crossing by lines or other markings on the sur-
 23 face.

24 SECTION 2. That Section 49-110, Idaho Code, be, and the same is hereby
 25 amended to read as follows:

26 49-110. DEFINITIONS -- I. (1) "Identifying number" means:

27 (a) Motor number. That identifying number stamped on the engine of a
 28 vehicle.

29 (b) Vehicle identification number. The numbers and letters, if any,
 30 placed on a vehicle by the manufacturer for the purpose of identifying
 31 the vehicle.

32 (2) "Implements of husbandry" means every vehicle including self-pro-
 33 pelled units, designed or adapted and used exclusively in agricultural,
 34 horticultural, dairy and livestock growing and feeding operations when be-
 35 ing incidentally operated. Such implements include, but are not limited
 36 to, combines, discs, dry and liquid fertilizer spreaders, cargo tanks, har-
 37 rows, hay balers, harvesting and stacking equipment, pesticide applicators,
 38 plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor
 39 when attached to or drawing any implement of husbandry shall be construed
 40 to be an implement of husbandry. "Implements of husbandry" do not include
 41 semitrailers, nor do they include motor vehicles or trailers, unless their
 42 design limits their use to agricultural, horticultural, dairy or livestock
 43 growing and feeding operations.

44 (3) "Incidentally operated" means the transport of the implement of
 45 husbandry from one (1) farm operation to another.

46 (4) "Individual record" means a record containing personal information
 47 about a designated person who is the subject of the record as identified in a
 48 request for information.

1 (5) "Infraction" means a civil public offense, not constituting a
2 crime, which is not punishable by incarceration and for which there is no
3 right to a trial by jury or right to court-appointed counsel, and which is
4 punishable by only a penalty not exceeding one hundred dollars (\$100) and no
5 imprisonment.

6 (6) "Instruction permits":

7 (a) ~~"Class A, B or C instruction permit."~~ means a temporary privilege to
8 ~~operate a motor vehicle for which a commercial driver's license is re-~~
9 ~~quired; is available only to a person who is eighteen (18) years of age~~
10 ~~or older; is issued pursuant to the provisions of section 49-305, Idaho~~
11 ~~Code; and the permittee is subject to the conditions specified therein.~~
12 (See "Commercial learner's permit," section 49-104, Idaho Code)

13 (b) "Class D driver's training instruction permit" means a temporary
14 privilege to operate a class D motor vehicle while attending classes
15 as an enrollee of a public or private driver's training course only; is
16 available to a person aged fourteen and one-half (14 1/2) and older; is
17 issued to the instructor of the driver's training course; is issued and
18 expires pursuant to the provisions of section 49-307, Idaho Code; and
19 the permittee is subject to the conditions specified in section 49-307,
20 Idaho Code.

21 (c) "Class D instruction permit" means a temporary privilege to op-
22 erate a class D motor vehicle which is available to a person under the
23 age of seventeen (17) years who has successfully completed an approved
24 driver's training course and has satisfied the requirements of a class D
25 supervised instruction permit, or to any person seventeen (17) years of
26 age or older; is valid for a period of one hundred eighty (180) days or as
27 provided in section 49-305, Idaho Code, if applicable; privileges are
28 limited to driving with a person who is at least eighteen (18) years of
29 age who holds a valid class D driver's license and is actually occupying
30 a seat beside the permittee; is issued pursuant to the provisions of
31 section 49-305, Idaho Code; and the permittee is subject to the condi-
32 tions specified in section 49-305, Idaho Code.

33 (d) "Class D supervised instruction permit" means a temporary privi-
34 lege to operate a class D motor vehicle which is available to a person
35 who is at least fourteen and one-half (14 1/2) years of age who has suc-
36 cessfully completed an approved driver's training course. No person
37 may apply for a class D driver's license until he has attained the age of
38 at least fifteen (15) years and has successfully satisfied the require-
39 ments of this permit, as specified and issued pursuant to the provisions
40 of section 49-307, Idaho Code.

41 (7) "Instructor" means any person, whether acting for himself as oper-
42 ator of a commercial driver training school or for such a school for compen-
43 sation, who teaches, conducts classes of, gives demonstrations to, or super-
44 vises practice of, persons learning to operate or drive motor vehicles.

45 (8) "Insurer" means any insurer, public or private, which shall in-
46 clude, but not be limited to, insurance companies domiciled in the state of
47 Idaho, agents, adjuster or any other person acting on behalf of any insurance
48 not domiciled in the state of Idaho and any self-insured entity operating
49 under Idaho insurance laws or rules.

1 (9) "International registration plan" means a registration reci-
 2 procity agreement among the states of the United States and provinces
 3 of Canada providing for payment of registration and licensing fees on a
 4 proportional basis determined by the fleet miles operated in the various
 5 jurisdictions.

6 (10) "Intersection" means:

7 (a) The area embraced within the prolongation or connection of the
 8 lateral curb lines, or, if none, then the lateral boundary lines of the
 9 roadways of two (2) highways which join one another at, or approximately
 10 at, right angles, or the area within which vehicles traveling upon dif-
 11 ferent highways joining at any other angle may come in conflict.

12 (b) Where a highway includes two (2) roadways thirty (30) feet or more
 13 apart, then every crossing of each roadway of the divided highway by an
 14 intersecting highway shall be regarded as a separate intersection. In
 15 the event an intersecting highway also includes two (2) roadways thirty
 16 (30) feet or more apart, then every crossing of two (2) roadways of the
 17 highways shall be regarded as a separate intersection.

18 (c) The junction of an alley with a street or highway shall not consti-
 19 tute an intersection.

20 SECTION 3. That Section 49-115, Idaho Code, be, and the same is hereby
 21 amended to read as follows:

22 49-115. DEFINITIONS -- N. (1) "National network" means highways
 23 available to vehicles authorized by the provisions of the federal surface
 24 transportation assistance act of 1982 as amended, and listed in 23 CFR part
 25 658, appendix A.

26 (2) "Neighborhood electric vehicle." (See "Vehicle," section 49-123,
 27 Idaho Code)

28 (3) "Noncommercial vehicle." (See "Vehicle," section 49-123, Idaho
 29 Code)

30 (4) "Nondomiciled commercial learner's permit or nondomiciled commer-
 31 cial driver's license" means a commercial learner's permit or a commercial
 32 driver's license, respectively, issued by a state or other jurisdiction un-
 33 der either of the following conditions:

34 (a) To an individual domiciled in a foreign country meeting the re-
 35 quirements of 49 CFR 383.23(b) (1); or

36 (b) To an individual domiciled in another state meeting the require-
 37 ments of 49 CFR 383.23(b) (2) .

38 (5) "Nonresident" means every person who is not a resident of this
 39 state.

40 ~~(56)~~ "Nonresident's operating privilege" means the privilege con-
 41 ferred upon a nonresident by the laws of this state pertaining to the
 42 operation by that person of a motor vehicle, or the use of a vehicle owned by
 43 that person, in this state.

44 SECTION 4. That Section 49-305, Idaho Code, be, and the same is hereby
 45 amended to read as follows:

46 49-305. INSTRUCTION PERMITS -- COMMERCIAL LEARNER'S PERMIT --
 47 TEMPORARY LICENSES -- MOTORCYCLE ENDORSEMENT INSTRUCTION PERMIT. (1) Upon

1 passage of the required knowledge tests appropriate for the vehicle being
2 operated, the department may issue a class A, B or C instruction commercial
3 learner's permit for the type of vehicle(s) the person will be operating,
4 or a class D instruction permit for a class D motor vehicle, entitling the
5 applicant, while having the permit in his immediate possession, to drive
6 a motor vehicle upon the highways for a period of up to one hundred eighty
7 (180) days or as provided in paragraph (b) of this subsection (1) for certain
8 class D instruction permits. That person must be accompanied by an adult
9 driver eighteen (18) years of age or older who holds a valid driver's license
10 appropriate for the vehicle being operated and who is actually occupying a
11 seat beside the driver. A commercial learner's permit or class D instruction
12 permit must be valid for no more than one hundred eighty (180) days and may
13 be renewed one (1) time without requiring the permit holder to retake and
14 pass the required knowledge tests for that class of permit, provided the
15 knowledge tests are less than one (1) year old. The commercial learner's
16 permit holder is not eligible to take the commercial driver's license skills
17 test in the first fourteen (14) days after initial issuance of the commercial
18 learner's permit.

19 (a) Any person under the age of seventeen (17) years who has success-
20 fully completed an approved driver's training course and has satisfied
21 the requirements of a class D supervised instruction permit, or any per-
22 son who has reached the age of seventeen (17) years may apply for a class
23 D instruction permit. Any person applying for any class D instruction
24 permit or driving privileges who is under the age of eighteen (18) years
25 shall be in compliance with school attendance requirements of section
26 49-303A, Idaho Code.

27 (b) If a person reaches the age of seventeen (17) years while operat-
28 ing a class D vehicle with a class D supervised instruction permit, and
29 such class D supervised instruction permit becomes a class D instruc-
30 tion permit as provided in section 49-307, Idaho Code, then such class
31 D instruction permit shall expire five (5) days after the permittee's
32 eighteenth birthday.

33 (c) Any person who has reached the age of eighteen (18) years, holds
34 a valid Idaho class D driver's license and has at least one (1) year
35 of driving experience, may apply for a class A, B or C instruction
36 commercial learner's permit.

37 (d) The department shall not issue a hazardous material endorsement on
38 any instruction commercial learner's permit.

39 (2) The department may, at its discretion, issue a temporary class D
40 driver's license to an applicant for a class D driver's license permitting
41 him to operate a motor vehicle while the department is completing its inves-
42 tigation and determination of all facts relative to the applicant's right
43 to receive a driver's license. The temporary license may be canceled at the
44 department's discretion at any time after issuance. The temporary license
45 must be in the applicant's immediate possession while operating a motor ve-
46 hicle, and it shall be invalid when the applicant's driver's license has been
47 issued or for good cause has been refused.

48 (3) A certified copy of an applicant's birth certificate shall be re-
49 quired before a class D driver's license or class D instruction permit will
50 be issued.

1 (4) The department may issue a motorcycle endorsement instruction per-
 2 mit to an applicant who has a valid driver's license and who has success-
 3 fully completed the motorcycle rider's knowledge test and paid the appropri-
 4 ate fees. The permit entitles the applicant, while having the permit in his
 5 immediate possession, to operate a motorcycle upon the highways for a period
 6 not to exceed one hundred eighty (180) days. The motorcycle endorsement in-
 7 struction permit may be renewed one (1) time without the requirement to re-
 8 take and pass the motorcycle rider's knowledge test if the test is less than
 9 one (1) year old. If the permittee passes the skills test for a motorcycle
 10 endorsement within one hundred eighty (180) days of issuance of the motorcy-
 11 cle endorsement instruction permit, he shall not be required to pay the mo-
 12 torcycle endorsement fee. A person holding a motorcycle instruction permit
 13 shall not carry any passenger while operating a motorcycle, shall not oper-
 14 ate a motorcycle except during the hours of daylight only and shall not oper-
 15 ate a motorcycle upon any interstate highway system.

16 A violation of the conditions of a motorcycle endorsement instruction
 17 permit is an infraction. The department shall cancel the permit whether or
 18 not such violation results in conviction of the infraction.

19 SECTION 5. That Section 49-306, Idaho Code, be, and the same is hereby
 20 amended to read as follows:

21 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
 22 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
 23 MIT. (1) Every application for any instruction permit, restricted school
 24 attendance driving permit, or for a driver's license shall be made upon a
 25 form furnished by the department and shall be verified by the applicant be-
 26 fore a person authorized to administer oaths. Officers and employees of the
 27 department and sheriffs and their deputies are authorized to administer the
 28 oaths without charge. Every application for a permit, extension or driver's
 29 license shall be accompanied by the following fee, none of which is refund-
 30 able:

31	(a) Class A, B, C (4-year) license with endorsements --	
32	age 21 years and older	\$40.00
33	(b) Class A, B, C (3-year) license with endorsements --	
34	age 18 to 21 years	\$30.00
35	(c) Class A, B, C (1-year) license with endorsements --	
36	age 20 years	\$15.00
37	(d) Class D (3-year) license -- under age 18 years	\$25.00
38	(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
39	(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
40	(g) Four-year Class D license -- age 21 years and older	\$30.00
41	(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
42	(i) Class A, B, C instruction <u>Commercial learner's permit</u>	\$29.00
43	(j) Class D instruction permit or supervised instruction permit	
44	\$15.00
45	(k) Duplicate driver's license or permit issued under	
46	section 49-318, Idaho Code	\$15.00
47	(l) Driver's license extension issued under section	
48	49-319, Idaho Code	\$10.00
49	(m) License classification change (upgrade)	\$25.00

1	(n) Endorsement addition	\$15.00
2	(o) Class A, B, C skills tests not more than	\$70.00
3	(p) Class D skills test	\$24.00
4	(q) Motorcycle endorsement skills test	\$10.00
5	(r) Knowledge test	\$ 3.00
6	(s) Seasonal driver's license	\$39.00
7	(t) One time motorcycle "M" endorsement	\$15.00
8	(u) Motorcycle endorsement instruction permit	\$15.00
9	(v) Restricted driving permit or restricted school attendance	
10	driving permit	\$60.00

11 (2) Every application shall state the true and full name, date of birth,
12 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
13 dress, if different, of the applicant, height, weight, hair color, and eye
14 color, and the applicant's social security number as verified by the social
15 security administration. If an applicant has submitted an application pur-
16 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
17 cant may state, in his or her application pursuant to this section, the ap-
18 plicant's alternative Idaho mailing address in place of his or her Idaho res-
19 idence address and mailing address. An applicant for a nondomiciled class A,
20 B or C driver's license or nondomiciled commercial learner's permit having
21 residency in a state that is prohibited from issuing class A, B or C driver's
22 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
23 cepted from providing proof of Idaho residency and an Idaho mailing address.

24 (a) The requirement that an applicant provide a social security number
25 as verified by the social security administration shall apply only to
26 applicants who have been assigned a social security number.

27 (b) An applicant who has not been assigned a social security number
28 shall:

29 (i) Present written verification from the social security admin-
30 istration that the applicant has not been assigned a social secu-
31 rity number; and

32 (ii) Submit a birth certificate, passport or other documentary
33 evidence issued by an entity other than a state or the United
34 States; and

35 (iii) Submit such proof as the department may require that the ap-
36 plicant is lawfully present in the United States.

37 A driver's license, commercial learner's permit or any instruction
38 permit issued on and after January 1, 1993, shall not contain an appli-
39 cant's social security number. Applications on file shall be exempt
40 from disclosure except as provided in sections 49-202, 49-203, 49-203A
41 and 49-204, Idaho Code.

42 (c) Every application for a class A, B or C license shall state where the
43 applicant has been licensed for the preceding ten (10) years and under
44 which of the following driving categories the applicant will operate:

45 (i) Non-excepted Interstate. The applicant operates or expects
46 to operate in interstate commerce, and is required to provide a
47 medical examiner's certificate;

48 (ii) Excepted Interstate. The applicant operates or expects to
49 operate in interstate commerce, but engages exclusively in trans-
50 portation or operations excepted by the federal motor carrier

1 safety administration from all or parts of the qualification re-
 2 quirements of federal motor carrier safety regulation 49, part
 3 391, and is therefore not required to provide a medical examiner's
 4 certificate;

5 (iii) Non-excepted Intrastate. The applicant operates only in
 6 intrastate commerce and is subject to and meets all Idaho driver
 7 qualification requirements and the applicable parts of federal
 8 motor carrier safety regulation 49, part 391, and is required to
 9 provide a medical examiner's certificate; or

10 (iv) Excepted Intrastate. The applicant operates in intrastate
 11 commerce, but engages exclusively in exempted transportation or
 12 operations as listed in section 67-2901B(2), Idaho Code, and the
 13 applicable parts of federal motor carrier safety regulation 49,
 14 part 391, and is therefore not required to provide a medical exam-
 15 iner's certificate.

16 All applications shall also state whether the applicant has previ-
 17 ously been licensed as a driver, and if so, when and by what state or
 18 country, and whether a driver's license or privileges have ever been
 19 suspended, revoked, denied, disqualified, canceled or whether an ap-
 20 plication has ever been refused, and if so, the date of and reason for
 21 the suspension, revocation, denial, disqualification, cancellation
 22 or refusal and the applicant's oath that all information is correct as
 23 signified by the applicant's signature.

24 (d) The applicant must submit proof of identity acceptable to the exam-
 25 iner or the department and date of birth as set forth in a certified copy
 26 of his birth certificate. When a certified copy of his birth certifi-
 27 cate or a delayed birth certificate is impossible to obtain from a vital
 28 statistics agency, another government issued document may be submitted
 29 that provides satisfactory evidence of a person's full legal name and
 30 date of birth acceptable to the examiner or the department.

31 (e) Every applicant for a class A, B or C driver's license or commer-
 32 cial learner's permit shall provide proof of United States citizenship
 33 or lawful permanent residency in the United States upon application for
 34 issuance, transfer, upgrade or renewal, unless the applicant's driving
 35 record already contains documentation confirming United States citi-
 36 zenship or lawful permanent residency. Every applicant for a nondomi-
 37 ciled class A, B or C driver's license or commercial learner's permit
 38 domiciled in a foreign country must provide an unexpired employment au-
 39 thorization document issued by the department of homeland security or
 40 an unexpired foreign passport accompanied by an approved I-94 form doc-
 41 umenting the applicant's most recent admittance into the United States.

42 (df) Individuals required to register in compliance with section 3 of
 43 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
 44 as amended, shall be provided an opportunity to fulfill such registra-
 45 tion requirements in conjunction with an application for a driver's li-
 46 cence, commercial learner's permit or instruction permit. Any regis-
 47 tration information so supplied shall be transmitted by the department
 48 to the selective service system.

49 (3) Whenever an application is received from a person previously li-
 50 censed in another jurisdiction, the department shall request a copy of the

1 driver's record from the other jurisdiction and shall contact the national
2 driver register. When received, the driver's record from the previous ju-
3 risdiction shall become a part of the driver's record in this state with the
4 same force and effect as though entered on the driver's record in this state
5 in the original instance.

6 (4) Whenever the department receives a request for a driver's record
7 from another licensing jurisdiction, the record shall be forwarded without
8 charge.

9 (5) The department shall contact and notify the commercial driver li-
10 cense information system of the proposed application for a class A, B or C
11 driver's license or commercial learner's permit to ensure identification of
12 the person and to obtain clearance to issue the license.

13 (6) When the fees required under this section are collected by a county
14 officer, they shall be paid over to the county treasurer not less often than
15 monthly, who shall immediately:

16 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
17 license except an eight-year class D license, or any class D instruction
18 permit application fees, application for a duplicate driver's license
19 or permit, classification change, seasonal driver's license and addi-
20 tional endorsement, and ten dollars (\$10.00) from each eight-year class
21 D driver's license, in the current expense fund; and

22 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
23 endorsement and motorcycle endorsement instruction permit fee in the
24 current expense fund; and

25 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
26 knowledge test in the current expense fund; and

27 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee for
28 a motorcycle endorsement skills test in the current expense fund; pro-
29 vided however, if a contractor administers the skills test he shall be
30 entitled to the ten dollar (\$10.00) fee; and

31 (e) Remit the remainder to the state treasurer; and

32 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
33 for a class D skills test into the county current expense fund, unless
34 the test is administered by a department-approved contractor, in which
35 case the contractor shall be entitled to seventeen dollars and fifty
36 cents (\$17.50) of each fee.

37 (7) When the fees required under this section are collected by a state
38 officer or agency, they shall be paid over to the state treasurer.

39 (8) The state treasurer shall distribute the moneys received from fees
40 imposed by the provisions of this section, whether collected by a county of-
41 ficer or by a state officer or agency as follows:

42 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
43 or seasonal driver's license, and four dollars (\$4.00) of each fee for
44 an eight-year class D driver's license, and one dollar and fifty cents
45 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
46 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
47 fee charged for driver's licenses pursuant to subsections (1) (c) and
48 (f) of this section, shall be deposited in the emergency medical ser-
49 vices fund II created in section 56-1018A, Idaho Code, and four dollars
50 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)

1 of this section and eight dollars (\$8.00) of each fee charged pursuant
2 to subsection (1) (h) of this section and three dollars (\$3.00) of each
3 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)
4 of this section, and one dollar (\$1.00) of each fee charged for driver's
5 licenses pursuant to subsections (1) (c) and (f) of this section shall be
6 deposited in the emergency medical services fund III created in section
7 56-1018B, Idaho Code; and

8 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
9 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
10 of each fee charged for a license pursuant to subsection (1) (b) of this
11 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
12 for a license pursuant to subsection (1) (c) of this section shall be de-
13 posited in the state highway account; and

14 (c) ~~Twenty dollars (\$20.00) of each fee for a class A, B or C instruction~~
15 ~~commercial learner's permit or driver's license classification change~~
16 ~~shall be deposited in the state highway account; and~~

17 (d) ~~Four dollars (\$4.00) of each fee for a class A, B or C instruction~~
18 ~~commercial learner's permit shall be deposited in the emergency medical~~
19 ~~services fund III created in section 56-1018B, Idaho Code; and~~

20 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
21 A, B or C driver's license, class A, B or C driver's license extension,
22 or additional endorsement shall be deposited in the state highway ac-
23 count; and

24 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
25 endorsement and motorcycle endorsement instruction permit shall be de-
26 posited in the state highway account; and

27 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
28 class D driver's license, and ten dollars and sixty cents (\$10.60) of
29 each fee for an eight-year class D driver's license, and four dollars
30 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)
31 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
32 of each fee charged for a license pursuant to subsection (1) (f) of this
33 section shall be deposited in the driver training fund; and

34 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
35 four-year class D driver's license, and twenty dollars and forty cents
36 (\$20.40) of each fee for an eight-year class D driver's license, and ten
37 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
38 suant to subsections (1) (d) and (e) of this section, and six dollars and
39 eighty-three cents (\$6.83) of each fee charged for a license pursuant
40 to subsection (1) (f) of this section shall be deposited in the highway
41 distribution fund; and

42 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
43 struction permit, duplicate class D license or permit, and class D li-
44 cense extension shall be deposited in the driver training fund; and

45 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D
46 instruction permit, duplicate class D license or permit, and class D
47 license extension shall be deposited in the highway distribution fund;
48 and

49 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
50 shall be deposited in the state highway account; and

1 (1) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
2 driver's license, and two dollars (\$2.00) of each fee for an eight-year
3 class D driver's license, and one dollar (\$1.00) of each fee charged for
4 a license pursuant to subsections (1) (b), (d) and (e) of this section,
5 and thirty-four cents (34¢) of each fee charged for a license pursuant
6 to subsections (1) (c) and (f) of this section shall be deposited in the
7 motorcycle safety program fund established in section 33-4904, Idaho
8 Code; and

9 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
10 test shall be deposited into the state highway account.

11 (9) The contractor administering a class A, B or C skills test shall be
12 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A
13 contractor administering a class A, B or C skills test may collect an addi-
14 tional fee for the use of the contractor's vehicle for the skills test.

15 (10) Sixty dollars (\$60.00) of each restricted driving permit and each
16 restricted school attendance driving permit shall be deposited in the state
17 highway account.

18 (11) The department may issue seasonal class B or C driver's licenses to
19 drivers who are employees of agri-chemical businesses, custom harvesters,
20 farm retail outlets and suppliers, and livestock feeders that:

21 (a) Will only be valid for driving commercial vehicles that normally
22 require class B or C commercial driver's licenses;

23 (b) Will be valid for seasonal periods that begin on the date of is-
24 suance and that are not to exceed one hundred eighty (180) days in a
25 twelve (12) month period;

26 (c) May only be obtained twice in a driver's lifetime;

27 (d) Are valid only within a one hundred fifty (150) mile radius of the
28 place of business or farm being serviced; and

29 (e) Will be valid only in conjunction with valid Idaho class D driver's
30 licenses.

31 (12) The department may issue seasonal class B or C driver's licenses to
32 drivers who:

33 (a) Have not violated the single license provisions of applicable fed-
34 eral regulations;

35 (b) Have not had any license suspensions, revocations or cancella-
36 tions;

37 (c) Have not had any convictions in any vehicle for any offense listed
38 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic
39 offense;

40 (d) Have at least one (1) year of driving experience with a class D or
41 equivalent license in any type motor vehicle; and

42 (e) Are at least sixteen (16) years old.

43 SECTION 6. That Section 49-306, Idaho Code, as amended by Section 2,
44 Chapter 354, Laws of 2013, be, and the same is hereby amended to read as fol-
45 lows:

46 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
47 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
48 MIT. (1) Every application for any instruction permit, restricted school
49 attendance driving permit, or for a driver's license shall be made upon a

1 form furnished by the department and shall be verified by the applicant be-
 2 fore a person authorized to administer oaths. Officers and employees of the
 3 department and sheriffs and their deputies are authorized to administer the
 4 oaths without charge. Every application for a permit, extension or driver's
 5 license shall be accompanied by the following fee, none of which is refund-
 6 able:

7	(a) Class A, B, C (4-year) license with endorsements --	
8	age 21 years and older	\$40.00
9	(b) Class A, B, C (3-year) license with endorsements --	
10	age 18 to 21 years	\$30.00
11	(c) Class A, B, C (1-year) license with endorsements --	
12	age 20 years	\$15.00
13	(d) Class D (3-year) license -- under age 18 years	\$25.00
14	(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
15	(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
16	(g) Four-year Class D license -- age 21 years and older	\$30.00
17	(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
18	(i) Class A, B, C instruction <u>Commercial learner's permit</u>	\$29.00
19	(j) Class D instruction permit or supervised instruction	
20	permit	\$15.00
21	(k) Duplicate driver's license or permit issued under	
22	section 49-318, Idaho Code	\$15.00
23	(l) Driver's license extension issued under section	
24	49-319, Idaho Code	\$10.00
25	(m) License classification change (upgrade)	\$25.00
26	(n) Endorsement addition	\$15.00
27	(o) Class A, B, C skills tests not more than	\$70.00
28	(p) Class D skills test	\$24.00
29	(q) Motorcycle endorsement skills test	\$10.00
30	(r) Knowledge test	\$ 3.00
31	(s) Seasonal driver's license	\$39.00
32	(t) One time motorcycle "M" endorsement	\$15.00
33	(u) Motorcycle endorsement instruction permit	\$15.00
34	(v) Restricted driving permit or restricted school attendance	
35	driving permit	\$60.00

36 (2) A person who applies for a driver's license or a driver's license
 37 renewal may designate a voluntary contribution of two dollars (\$2.00) for
 38 the purpose of promoting and supporting organ donation. Such a contribution
 39 shall be treated as a voluntary contribution to the organ donation contribu-
 40 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-
 41 cense fee.

42 (3) Every application shall state the true and full name, date of birth,
 43 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
 44 dress, if different, of the applicant, height, weight, hair color, and eye
 45 color, and the applicant's social security number as verified by the social
 46 security administration. If an applicant has submitted an application pur-
 47 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
 48 cant may state, in his or her application pursuant to this section, the ap-
 49 plicant's alternative Idaho mailing address in place of his or her Idaho res-
 50 idence address and mailing address. An applicant for a nondomiciled class A,

1 B or C driver's license or nondomiciled commercial learner's permit having
2 residency in a state that is prohibited from issuing class A, B or C driver's
3 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
4 cepted from providing proof of Idaho residency and an Idaho mailing address.

5 (a) The requirement that an applicant provide a social security number
6 as verified by the social security administration shall apply only to
7 applicants who have been assigned a social security number.

8 (b) An applicant who has not been assigned a social security number
9 shall:

10 (i) Present written verification from the social security admin-
11 istration that the applicant has not been assigned a social secu-
12 rity number; and

13 (ii) Submit a birth certificate, passport or other documentary
14 evidence issued by an entity other than a state or the United
15 States; and

16 (iii) Submit such proof as the department may require that the ap-
17 plicant is lawfully present in the United States.

18 A driver's license, commercial learner's permit or any instruction
19 permit issued on and after January 1, 1993, shall not contain an appli-
20 cant's social security number. Applications on file shall be exempt
21 from disclosure except as provided in sections 49-202, 49-203, 49-203A
22 and 49-204, Idaho Code.

23 (c) Every application for a class A, B or C license shall state where the
24 applicant has been licensed for the preceding ten (10) years and under
25 which of the following driving categories the applicant will operate:

26 (i) Non-excepted interstate. The applicant operates or expects
27 to operate in interstate commerce, and is required to provide a
28 medical examiner's certificate;

29 (ii) Excepted interstate. The applicant operates or expects to
30 operate in interstate commerce, but engages exclusively in trans-
31 portation or operations excepted by the federal motor carrier
32 safety administration from all or parts of the qualification re-
33 quirements of federal motor carrier safety regulation 49, part
34 391, and is therefore not required to provide a medical examiner's
35 certificate;

36 (iii) Non-excepted intrastate. The applicant operates only in
37 intrastate commerce and is subject to and meets all Idaho driver
38 qualification requirements and the applicable parts of federal
39 motor carrier safety regulation 49, part 391, and is required to
40 provide a medical examiner's certificate; or

41 (iv) Excepted intrastate. The applicant operates in intrastate
42 commerce, but engages exclusively in exempted transportation or
43 operations as listed in section 67-2901B(2), Idaho Code, and the
44 applicable parts of federal motor carrier safety regulation 49,
45 part 391, and is therefore not required to provide a medical exam-
46 iner's certificate.

47 All applications shall also state whether the applicant has previ-
48 ously been licensed as a driver, and if so, when and by what state or
49 country, and whether a driver's license or privileges have ever been
50 suspended, revoked, denied, disqualified, canceled or whether an ap-

1 plication has ever been refused, and if so, the date of and reason for
2 the suspension, revocation, denial, disqualification, cancellation
3 or refusal and the applicant's oath that all information is correct as
4 signified by the applicant's signature.

5 (d) The applicant must submit proof of identity acceptable to the exam-
6 iner or the department and date of birth as set forth in a certified copy
7 of his birth certificate. When a certified copy of his birth certifi-
8 cate or a delayed birth certificate is impossible to obtain from a vital
9 statistics agency, another government issued document may be submitted
10 that provides satisfactory evidence of a person's full legal name and
11 date of birth acceptable to the examiner or the department.

12 (e) Every applicant for a class A, B or C driver's license or commer-
13 cial learner's permit shall provide proof of United States citizenship
14 or lawful permanent residency in the United States upon application for
15 issuance, transfer, upgrade or renewal, unless the applicant's driving
16 record already contains documentation confirming United States citi-
17 zenship or lawful permanent residency. Every applicant for a nondomi-
18 ciled class A, B or C driver's license or commercial learner's permit
19 domiciled in a foreign country must provide an unexpired employment au-
20 thorization document issued by the department of homeland security or
21 an unexpired foreign passport accompanied by an approved I-94 form doc-
22 umenting the applicant's most recent admittance into the United States.

23 (@f) Individuals required to register in compliance with section 3 of
24 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
25 as amended, shall be provided an opportunity to fulfill such registra-
26 tion requirements in conjunction with an application for a driver's li-
27 cence, commercial learner's permit or instruction permit. Any regis-
28 tration information so supplied shall be transmitted by the department
29 to the selective service system.

30 (4) Whenever an application is received from a person previously li-
31 censed in another jurisdiction, the department shall request a copy of the
32 driver's record from the other jurisdiction and shall contact the national
33 driver register. When received, the driver's record from the previous ju-
34 risdiction shall become a part of the driver's record in this state with the
35 same force and effect as though entered on the driver's record in this state
36 in the original instance.

37 (5) Whenever the department receives a request for a driver's record
38 from another licensing jurisdiction, the record shall be forwarded without
39 charge.

40 (6) The department shall contact and notify the commercial driver li-
41 cense information system of the proposed application for a class A, B or C
42 driver's license or commercial learner's permit to ensure identification of
43 the person and to obtain clearance to issue the license.

44 (7) When the fees required under this section are collected by a county
45 officer, they shall be paid over to the county treasurer not less often than
46 monthly, who shall immediately:

47 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
48 license except an eight-year class D license, or any class D instruction
49 permit application fees, application for a duplicate driver's license
50 or permit, classification change, seasonal driver's license and addi-

1 tional endorsement, and ten dollars (\$10.00) from each eight-year class
2 D driver's license, in the current expense fund;

3 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
4 endorsement and motorcycle endorsement instruction permit fee in the
5 current expense fund;

6 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
7 knowledge test in the current expense fund;

8 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee for
9 a motorcycle endorsement skills test in the current expense fund; pro-
10 vided however, if a contractor administers the skills test he shall be
11 entitled to the ten dollar (\$10.00) fee;

12 (e) Remit the remainder to the state treasurer; and

13 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
14 for a class D skills test into the county current expense fund, unless
15 the test is administered by a department-approved contractor, in which
16 case the contractor shall be entitled to seventeen dollars and fifty
17 cents (\$17.50) of each fee.

18 (8) When the fees required under this section are collected by a state
19 officer or agency, they shall be paid over to the state treasurer.

20 (9) The state treasurer shall distribute the moneys received from fees
21 imposed by the provisions of this section, whether collected by a county of-
22 ficer or by a state officer or agency as follows:

23 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
24 or seasonal driver's license, and four dollars (\$4.00) of each fee for
25 an eight-year class D driver's license, and one dollar and fifty cents
26 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
27 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
28 fee charged for driver's licenses pursuant to subsection (1) (c) and
29 (f) of this section, shall be deposited in the emergency medical ser-
30 vices fund II created in section 56-1018A, Idaho Code, and four dollars
31 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)
32 of this section and eight dollars (\$8.00) of each fee charged pursuant
33 to subsection (1) (h) of this section and three dollars (\$3.00) of each
34 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of
35 this section, and one dollar (\$1.00) of each fee charged for driver's
36 licenses pursuant to subsection (1) (c) and (f) of this section shall be
37 deposited in the emergency medical services fund III created in section
38 56-1018B, Idaho Code;

39 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
40 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
41 of each fee charged for a license pursuant to subsection (1) (b) of this
42 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
43 for a license pursuant to subsection (1) (c) of this section shall be de-
44 posited in the state highway account;

45 (c) Twenty dollars (\$20.00) of each fee for a ~~class A, B or C instruction~~
46 commercial learner's permit or driver's license classification change
47 shall be deposited in the state highway account;

48 (d) Four dollars (\$4.00) of each fee for a ~~class A, B or C instruction~~
49 commercial learner's permit shall be deposited in the emergency medical
50 services fund III created in section 56-1018B, Idaho Code;

1 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
2 A, B or C driver's license, class A, B or C driver's license extension,
3 or additional endorsement shall be deposited in the state highway ac-
4 count;

5 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
6 endorsement and motorcycle endorsement instruction permit shall be de-
7 posited in the state highway account;

8 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
9 class D driver's license, and ten dollars and sixty cents (\$10.60) of
10 each fee for an eight-year class D driver's license, and four dollars
11 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)
12 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
13 of each fee charged for a license pursuant to subsection (1) (f) of this
14 section shall be deposited in the driver training fund;

15 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
16 four-year class D driver's license, and twenty dollars and forty cents
17 (\$20.40) of each fee for an eight-year class D driver's license, and ten
18 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
19 suant to subsection (1) (d) and (e) of this section, and six dollars and
20 eighty-three cents (\$6.83) of each fee charged for a license pursuant
21 to subsection (1) (f) of this section shall be deposited in the highway
22 distribution fund;

23 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
24 struction permit, duplicate class D license or permit, and class D li-
25 cense extension shall be deposited in the driver training fund;

26 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D in-
27 struction permit, duplicate class D license or permit, and class D li-
28 cense extension shall be deposited in the highway distribution fund;

29 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
30 shall be deposited in the state highway account;

31 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
32 driver's license, and two dollars (\$2.00) of each fee for an eight-year
33 class D driver's license, and one dollar (\$1.00) of each fee charged for
34 a license pursuant to subsection (1) (b), (d) and (e) of this section,
35 and thirty-four cents (34¢) of each fee charged for a license pursuant
36 to subsection (1) (c) and (f) of this section shall be deposited in the
37 motorcycle safety program fund established in section 33-4904, Idaho
38 Code;

39 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
40 test shall be deposited into the state highway account; and

41 (n) Each voluntary contribution of two dollars (\$2.00) as described in
42 subsection (2) of this section, less actual administrative costs asso-
43 ciated with collecting and transferring such contributions, shall be
44 deposited into the organ donation contribution fund created in section
45 49-2447, Idaho Code.

46 (10) The contractor administering a class A, B or C skills test shall be
47 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A
48 contractor administering a class A, B or C skills test may collect an addi-
49 tional fee for the use of the contractor's vehicle for the skills test.

1 (11) Sixty dollars (\$60.00) of each restricted driving permit and each
2 restricted school attendance driving permit shall be deposited in the state
3 highway account.

4 (12) The department may issue seasonal class B or C driver's licenses to
5 drivers who are employees of agri-chemical businesses, custom harvesters,
6 farm retail outlets and suppliers, and livestock feeders that:

7 (a) Will only be valid for driving commercial vehicles that normally
8 require class B or C commercial driver's licenses;

9 (b) Will be valid for seasonal periods that begin on the date of is-
10 suance and that are not to exceed one hundred eighty (180) days in a
11 twelve (12) month period;

12 (c) May only be obtained twice in a driver's lifetime;

13 (d) Are valid only within a one hundred fifty (150) mile radius of the
14 place of business or farm being serviced; and

15 (e) Will be valid only in conjunction with valid Idaho class D driver's
16 licenses.

17 (13) The department may issue seasonal class B or C driver's licenses to
18 drivers who:

19 (a) Have not violated the single license provisions of applicable fed-
20 eral regulations;

21 (b) Have not had any license suspensions, revocations or cancella-
22 tions;

23 (c) Have not had any convictions in any vehicle for any offense listed
24 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic
25 offense;

26 (d) Have at least one (1) year of driving experience with a class D or
27 equivalent license in any type motor vehicle; and

28 (e) Are at least sixteen (16) years old.

29 SECTION 7. That Section 49-313, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or
32 authorized agents of the department shall examine every applicant for an
33 instruction permit, commercial learner's permit, restricted school at-
34 tendance driving permit, seasonal driver's license, driver's license or a
35 motorcycle endorsement, except as otherwise provided by law. The examina-
36 tion shall include a vision screening and a test of the applicant's ability
37 to read and understand highway signs regulating, warning, and directing
38 traffic. A skills test shall be required for an applicant who has not been
39 previously licensed for the class of license requested, or who holds a li-
40 cense issued by another country unless a reciprocal agreement is in force.
41 However, a skills test may be required for any and all other applicants at
42 the discretion of the examiner or department for a class A, B, C or D driver's
43 license or a motorcycle endorsement. In addition, the applicant's knowledge
44 of traffic laws of this state and when a motorcycle endorsement is applied
45 for, the applicant's knowledge of safe motorcycle operating practices and
46 traffic laws specifically relating to motorcycle operation shall be tested
47 by a written examination, except as provided in section 49-319, Idaho Code.
48 At the discretion of the examiner, the prescribed written examination may be
49 conducted orally.

1 (2) The knowledge and skills examinations for applicants for driver's
2 licenses in class A, B or C shall be conducted in compliance with 49 CFR part
3 383.

4 (3) The skills test for a class A, B, C or D driver's license or for any
5 endorsement shall be given by the department or its authorized agents. The
6 skills examiner for a motorcycle endorsement shall be certified by the divi-
7 sion of professional-technical education.

8 (4) The department shall not issue the following endorsements except as
9 provided:

10 (a) A tank, double/triple trailer, or hazardous material endorsement
11 unless the applicant, in addition to all other applicable qualifica-
12 tions, has passed an appropriate knowledge test.

13 (b) A passenger endorsement unless the applicant, in addition to all
14 other applicable qualifications, has passed an appropriate knowledge
15 and skills test.

16 (c) A school bus endorsement unless the applicant, in addition to all
17 other applicable qualifications, has passed appropriate knowledge and
18 skills tests. Until September 30, 2005, the department may waive the
19 school bus endorsement skills test requirement if the applicant meets
20 the conditions set forth in accordance with 49 CFR part 383.123.

21 (5) Any person failing to pass a knowledge or skills test for a class
22 A, B, C or D driver's license, or a knowledge test for a seasonal driver's
23 license, or any endorsement may not retake the test within three (3) business
24 days of the failure.

25 (6) Any person retaking a knowledge or skills test for a driver's li-
26 cense shall pay the appropriate testing fee as specified in section 49-306,
27 Idaho Code.

28 (7) The motorcycle skills test for a motorcycle endorsement shall be
29 waived by the department:

30 (a) On and after September 1, 1998, if the applicant presents satisfac-
31 tory evidence of successful completion of a recognized motorcycle rider
32 training course approved by the division of professional-technical ed-
33 ucation;

34 (b) On and after September 1, 1998, if the applicant presents evi-
35 dence of a motorcycle endorsement on his current license by a state or
36 province which requires a motorcycle skills test equivalent to that re-
37 quired by Idaho law as determined by the division of professional-tech-
38 nical education;

39 (c) Until September 1, 1998.

40 (8) At the discretion of the department, an alternate skills test for
41 the motorcycle endorsement may be administered when the endorsement is for
42 operation of a three-wheeled motorcycle only.

43 (9) The department or its authorized agents may refuse to give an appli-
44 cant a skills test if there are reasonable grounds to believe that the safety
45 of the applicant, public, or the examiner would be jeopardized by doing so.
46 Reasonable grounds would include, but not be limited to, the applicant's in-
47 ability to pass the vision screening, written tests, or a statement by a li-
48 censed physician stating the applicant is not physically able to drive a mo-
49 tor vehicle.

1 (10) The department or its authorized agents may deny issuance or re-
2 newal of a driver's license or endorsement to any applicant who does not meet
3 the licensing requirements for the class of driver's license or endorsement
4 being renewed or issued.

5 (11) Skills examinations for seasonal driver's licenses shall be
6 waived.

7 SECTION 8. This act shall be in full force and effect on and after July
8 8, 2014.