

PENAL CODE CHANGES

§ 19-4705. Payment of fines and forfeitures -- Satisfaction of judgment -- Disposition - - Apportionment

- (1) Except as otherwise provided in subsection (2) of this section:
 - (a) All fines and forfeitures collected pursuant to the judgment of any court of the state shall be remitted to the court in which the judgment was rendered. The judgment shall then be satisfied by entry in the docket of the court. The clerk of the court shall daily remit all fines and forfeitures to the county auditor who shall at the end of each month apportion the proceeds according to the provisions of this chapter. Other existing laws regarding the disposition of fines and forfeitures are hereby repealed to the extent such laws are inconsistent with the provisions of this chapter except as provided in section 49-1013(5), Idaho Code.
 - (b) Fines and forfeitures remitted for violations of fish and game laws shall be apportioned two and one-half percent (2 1/2%) to the state treasurer for deposit in the state general fund, ten percent (10%) to the search and rescue account, twenty-two and one-half percent (22 1/2%) to the district court fund and sixty-five percent (65%) to the fish and game fund.
 - (c) Fines and forfeitures remitted for violations of state motor vehicle laws, for violation of state driving privilege laws, and for violation of state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, forty-five percent (45%) to the state treasurer for deposit in the highway distribution account, twenty-two and one-half percent (22 1/2%) to the district court fund and twenty-two and one-half percent (22 1/2%) to the state treasurer for deposit in the public school income fund; provided, however, that fines and forfeitures remitted for violation of state motor vehicle laws, for violation of state driving privilege laws, and for violation of state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, where an arrest is made or a citation is issued by a city law enforcement official, or by a law enforcement official of a governmental agency under contract to provide law enforcement services for a city, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the city whose officer made the arrest or issued the citation.
 - (d) Fines and forfeitures remitted for violation of any state law not involving fish and game laws, or motor vehicle laws, or state driving privilege laws, or state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county in which the violation occurred.

- (e) Fines and forfeitures remitted for violation of county ordinances shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county whose ordinance was violated.
 - (f) Fines and forfeitures remitted for violation of city ordinances shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the city whose ordinance was violated.
 - (g) Fines and forfeitures remitted for violations not specified in this chapter shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county in which the violation occurred except in cases where a duly designated officer of any city police department or city law enforcement official shall have made the arrest for any such violation, in which case ninety percent (90%) shall be apportioned to the city whose officer made the arrest.
 - (h) Fines and forfeitures remitted for violations involving the failure to obtain a certificate of number as required by chapter 71, title 67, Idaho Code, registrations of motorcycles or motor-driven eyes used off highways, snowmobiles, or violations involving the use of winter recreation parking areas shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the general fund of the county or city whose law enforcement official issued the citation.
 - (i) Fines and forfeitures remitted for violations of overweight laws as provided in section 49-1013(3), Idaho Code, shall be deposited one hundred percent (100%) into the highway distribution account.
- (2) Any fine or forfeiture remitted for any misdemeanor violation for which an increase in the maximum fine became effective on or after July 1, 2005, shall be apportioned as follows:
- (a) Any funds remitted, up to the maximum amount that could have been imposed before July 1, 2005, as a fine for the misdemeanor violation, shall be apportioned according to the applicable provisions of subsection (1) of this section; and
 - (b) Any other funds remitted, in excess of the maximum amount that could have been imposed before July 1, 2005, as a fine for the misdemeanor violation, shall be remitted to the state treasurer and shall be deposited in the drug court, mental health court and family court services fund as set forth in section 1-1625, Idaho Code.
- (3) As used in this section, the term "city law enforcement official" shall include an official of any governmental agency which is providing law enforcement services to a city in accordance with the terms of a contract or agreement, when such official makes the arrest or issues a citation within

the geographical limits of the city and when the contract or agreement provides for payment to the city of fines and forfeitures resulting from such service.

MOTOR VEHICLE CODE CHANGES

§ 49-426. Exemptions from operating fees

The provisions of this chapter with respect to operating fees shall not apply to:

- (1) Motor vehicles owned or leased by the United States, the state, a city, a county, any department thereof, any political subdivision or municipal corporation of the state, any taxing district of the state, any state registered nonprofit subscription fire protection unit, or any organization, whether incorporated or unincorporated, organized for the operation, maintenance, or management of an irrigation project or irrigation works or system or for the purpose of furnishing water to its members or shareholders, but in other respects shall be applicable.
- (2) Farm tractors, implements of husbandry, those manufactured homes which qualify for an exemption under the provisions of section 49-422, Idaho Code, road rollers, wheel mounted tar buckets, portable concrete and/or mortar mixers, wheel mounted compressors, tow dollies, portable toilet trailers, street sweepers, other construction equipment, forestry equipment, lawn and grounds equipment and similar devices as determined by the department which are temporarily operated or moved upon the highways need not be registered under the provisions of this chapter, nor shall implements of husbandry be considered towed units under registration of vehicle combinations as defined in section 49-108(2), Idaho Code. In addition, self-propelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf carts, lawn mowers, and scooters operated by persons who by reason of physical disability are otherwise unable to move about as pedestrians shall be exempt from registration requirements under the provisions of this chapter. Off-highway vehicles, as that term is defined at section 67-7101, Idaho Code, and M~~motorcycles, motorbikes, utility type vehicles and all terrain vehicles~~ need not be licensed under the provisions of this chapter or numbered pursuant to the provisions of ~~chapter 71, title 67, Idaho Code~~section 67-7122, Idaho Code, if they are being used exclusively in connection with agricultural, horticultural, dairy and livestock growing and feeding operations or used exclusively for snow removal purposes. Travel upon the public highways shall be limited to travel between farm or ranch locations. Off-highway vehicles and M~~motorcycles, motorbikes, utility type vehicles and all terrain vehicles~~ used for this purpose shall meet the emblem requirements of section 49-619, Idaho Code.
- (3) Any political subdivision of the state of Idaho may, but only after sufficient public notice is given and a public hearing held, adopt local ordinances or resolutions designating highways or sections of highways under its jurisdiction which are closed to off-highway vehicles, as that term is defined at section 67-7101, Idaho Code, all terrain vehicles, utility type vehicles, specialty off highway vehicles and motorbikes licensed pursuant to this chapter and numbered pursuant to the provisions of chapter 71, title 67, section 67-7122, Idaho Code. The operation of licensed and numbered off-highway vehicles all terrain vehicles, utility type vehicles and motorbikes and those vehicles exempt from licensing and numbering pursuant to subsection (2) of this section shall not be permitted on controlled access highways, except as provided in subsection (4) of this section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14, title 49, Idaho Code, shall apply to the operation of any all terrain vehicle, utility type vehicle or motorbike off-highway vehicle upon highways. Costs related to the posting of signs on highways or sections of highways that are closed to such vehicles, indicating the ordinance,

are eligible for reimbursement through the motorbike recreation account created in section 67-7126, Idaho Code.

- (4) The Idaho transportation board may designate sections of state highways upon which off-highway vehicles, as that term is defined at section 67-7101, Idaho Code, ~~all terrain vehicles, utility type vehicles, specialty off highway vehicles and motorbikes~~ may travel. ~~All terrain vehicles, utility type vehicles, specialty off highway vehicles and motorbikes~~ Off-highway vehicles shall be permitted to cross a non-full access-controlled highway at a public road intersection. Off-highway vehicles, ~~All terrain vehicles, utility type vehicles, specialty off-highway vehicles and motorbikes~~ shall be permitted to travel upon that portion of any non-full access-controlled state highway with a speed limit of forty-five (45) miles per hour or less lying within and extending one (1) mile beyond the boundaries of a municipality unless restricted by the Idaho transportation board or closed as provided in subsection (3) of this section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14, title 49, Idaho Code, shall apply to the operation of ~~all terrain vehicles, utility type vehicles, specialty off-highway vehicles and motorbikes~~ off-highway vehicles when upon state highways.
- (5) ~~Off-highway vehicles, as that term is defined at section 67-7101, Idaho Code, All terrain vehicles, utility type vehicles, specialty off highway vehicles and motorbikes~~ may be used on highways located on state lands or federal lands which are not part of the highway system of the state of Idaho, provided the numbering requirements of the provisions of chapter 71, title 67, section 67-7122, Idaho Code, are met.

RECREATIONAL ACTIVITIES CODE CHANGES

§ 67-7101. Definitions

In this chapter:

- (1) "All-terrain vehicle" or "ATV" means any recreational motor vehicle designed for or capable of traveling off developed roadways and highways with three (3) or more tires and fifty (50) inches or less in width, having a wheelbase of sixty-one (61) inches or less, has handlebar steering and a seat designed to be straddled by the operator.
- (2) "Board" means the park and recreation board created under authority of section 67-4221, Idaho Code.
- (3) "Bona fide snowmobile program" means services or facilities as approved by the department that will benefit snowmobilers such as snowmobile trail grooming, plowing and maintaining snowmobile parking areas and facilities, and trail signing.
- (4) "Dealer" means any person who engages in the retail sales of or rental of snowmobiles, motorbikes, utility type vehicles or all-terrain vehicles.
- (5) "Department" means the Idaho department of parks and recreation.
- (6) "Designated parking area" means an area located, constructed, maintained, and signed with the approval of the land manager or owner.
- (7) "Director" means the director of the department of parks and recreation.
- (8) "Groomed snowmobile trail" shall mean any over-snow vehicle trail located within the state that is maintained and groomed for use by over-snow vehicles during the winter snowmobiling season by the Department, or by a county, or by any club or organization through the use of funds provided or allocated by the Department.
- (9) "Highway." (See section 40-109, Idaho Code, but excepting public roadway as defined in this section)
- (10) "Motorbike" means any self-propelled two (2) wheeled motorcycle or motor-driven cycle, excluding tractor, designed for or capable of traveling off developed roadways and highways and also referred to as trailbikes, enduro bikes, trials bikes, motocross bikes or dual purpose motorcycles.
- (11) "Off-highway vehicle" or "OHV" means an all-terrain vehicle, motorbike, specialty off-highway vehicle or utility type vehicle as defined in this section.
- (12) "Operator" means any person who is in physical control of a motorbike, all-terrain vehicle, utility type vehicle, specialty off-highway vehicle or snowmobile.
- (13) "Over-snow traveler" means any person engaged in over-snow travel on a groomed snowmobile trail without the use of a motor vehicle or off-highway vehicle, including but not limited to persons traveling by bicycle, cross-country ski, dog sled, horseback, horse-drawn sleigh, snowshoe, or other apparatus or mechanized equipment.

- (14) “Over-snow vehicle” or “OSV” means a snowmobile, as defined in this section, and any off-highway vehicle, as defined in this section, that is permitted to operate on groomed snowmobile trails pursuant to section 67-7112, Idaho Code.
- (15) "Owner" means every person holding record title to a motorbike, all-terrain vehicle, utility type vehicle, specialty off-highway vehicle or snowmobile and entitled to the use or possession thereof, other than a lienholder or other person having a security interest only.
- (16) "Person" means an individual, partnership, association, corporation, or any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.
- (17) "Public roadway" means all portions of any highway which are controlled by an authority other than the Idaho transportation department.
- (18) "Snowmobile" means any self-propelled vehicle under two thousand (2,000) pounds unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners.
- (19) "Specialty off-highway vehicle" means any vehicle manufactured, designed or constructed exclusively for off-highway operation that does not fit the definition of an all-terrain vehicle, utility type vehicle or motorbike as defined in this section. The vehicle classification provided for in this subsection shall become effective on January 1, 2010.
- (20) "Utility type vehicle" or "UTV" means any recreational motor vehicle other than an ATV, motorbike or snowmobile as defined in this section, designed for and capable of travel over designated roads, traveling on four (4) or more tires, maximum width less than seventy-four (74) inches, maximum weight less than two thousand (2,000) pounds, and having a wheelbase of one hundred ten (110) inches or less. A utility type vehicle must have a minimum width of fifty (50) inches, a minimum weight of at least nine hundred (900) pounds or a wheelbase of over sixty-one (61) inches. Utility type vehicle does not include golf carts, vehicles specially designed to carry a disabled person, implements of husbandry as defined in section 49-110(2), Idaho Code, or vehicles otherwise registered under title 49, Idaho Code. A "utility type vehicle" or "UTV" also means a recreational off-highway vehicle or ROV.
- (21) "Vendor" means any entity authorized by the department to sell recreational certificates of number.
- (22) "Winter recreational parking locations" means designated parking areas established and maintained with funds acquired from the cross-country skiing account [cross-country skiing recreation account].

§ 67-7102. Over-snow vehicles - Requirement that snowmobile be of numbered

Except as otherwise provided, no over-snow vehicle snowmobile shall be operated within the jurisdiction of the state of Idaho unless numbered as provided in this chapter.

§ 67-7103. Over-snow vehicles -- Application for number -- Attachment of validation stickers -- Certificate -- Application for transfer of certificate -- Transfer of certificate fee -- Temporary number -- Fees

- (1) On or before November 1 of each year the owner of each ~~over-snow vehicle snowmobile~~ requiring numbering by the state of Idaho shall file an application for number with the department on forms approved by it. The application shall be signed by the owner and shall, except as provided in subsection (7) of this section, be accompanied by a fee of thirty-one dollars (\$ 31.00). Upon receipt of the application the department shall issue to the applicant a certificate of number stating the number assigned to the ~~over-snow vehicle snowmobile~~ and the name and address of the owner. The owner shall attach to the ~~over-snow vehicle snowmobile~~ the validation sticker in a manner as may be prescribed by rules of the department. The validation sticker ~~shall be located on the right and left side of the cowling of the snowmobile and~~ shall be completely visible and shall be maintained in legible condition. The certificate of number ~~shall be pocket size and~~ shall be available at all times for inspection on the ~~over-snow vehicle snowmobile~~ for which issued, wherever the ~~over-snow vehicle snowmobile~~ is in operation.
- (2) The department may issue any certificate of number directly or may authorize any persons to act as vendor for the issuance. In the event a person accepts the authorization, he may be assigned a block of validation stickers and certificates of number which upon issue, in conformity with this chapter and with any rules of the department, shall be valid as if issued directly by the department.
- (3) All records of the department made or kept pursuant to this section shall be public records.
- (4) Each snowmobile must be numbered before it leaves the premises at the time of sale from any retail snowmobile dealer.
- (5) The purchaser of a snowmobile shall, within fifteen (15) days immediately after acquisition, make application to the department for transfer to him of the certificate of number issued to the snowmobile, giving his name, address and the number of the snowmobile and shall at the same time pay to the department a fee of three dollars (\$ 3.00). Upon receipt of the application and fee, the department shall transfer the certificate of number issued for the snowmobile to the new owner or owners. Unless the application is made and fee paid within fifteen (15) days, the snowmobile shall be considered to be without a certificate of number and it shall be unlawful for any person to operate that snowmobile until the certificate is issued.
- (6) No number other than the validation stickers issued to an ~~an over-snow vehicle snowmobile~~ pursuant to this chapter shall be painted, attached, or otherwise displayed on the ~~over-snow vehicles snowmobile~~, except a temporary number may be attached to identify an ~~an over-snow vehicle snowmobile~~ for the purpose of racing or other sporting events.
- (7) Resident and nonresident owners of ~~over-snow vehicles snowmobiles~~ used for rental purposes shall purchase validation stickers for sixty-one dollars (\$ 61.00) and the validation stickers shall be displayed on the machine at all times as provided in this section.

§ 67-7104. Over-snow vehicles -- Nonresident snowmobile user certificate required

The owner of a nonresident, noncommercial ~~over-snow vehicle snowmobile~~ shall not be required to comply with the certificate of numbering requirements of the state of Idaho, but shall be required to obtain a nonresident snowmobile user certificate. A fee of thirty-one dollars (\$ 31.00) shall be imposed for the issuance of a nonresident snowmobile user certificate. The validation stickers shall be displayed in the same manner as provided in section 67-7103, Idaho Code. Nonresident snowmobile user certificates shall be valid beginning November 1 through October 31 of the following year. Issuance and administration of nonresident snowmobile user certificates shall be conducted in the same manner as provided in section 67-7103, Idaho Code, for numbering of snowmobiles.

- (1) For purposes of this section, "nonresident" shall be as defined in section 36-202, Idaho Code.
- (2) In the absence of a bona fide program in the area or upon the request of the bona fide county snowmobile advisory committee of the nearest affected county in Idaho, the requirements for the nonresident snowmobile user certificate may be waived by the ~~parks and recreation~~ ~~board~~ ~~{park and recreation board}~~ on specific trails where the snowmobile trail grooming is solely supported by a state other than Idaho.

§ 67-7105. Government ownership and government-related travel

Certificate of number and registration portions of this chapter shall not apply to ~~over-snow vehicles and off-highway vehicles snowmobiles, all-terrain vehicles, utility type vehicles, specialty off-highway vehicles and motorbikes~~ owned and operated by the federal government, a state government or a subdivision of it. Certificate of number and registration portions of this chapter shall also not apply to over-snow travelers while acting in the course and scope of employment under the employ of the federal government, a state government or a subdivision of it.

§ 67-7106. Over-snow vehicles -- Distribution of moneys collected -- County snowmobile fund -- State snowmobile fund -- State snowmobile search and rescue fund

- (1) Each vendor shall not later than the fifteenth day of each month remit all moneys collected under the provisions of sections 67-7103, ~~and~~ 67-7104 and 67-7119, Idaho Code, to the state treasurer for credit to the state snowmobile fund, established in the dedicated fund, to be administered by the director, except that one dollar (\$ 1.00) from each snowmobile certificate of number fee, one dollar (\$ 1.00) from each rental certificate of number fee, ~~and~~ one dollar (\$ 1.00) from each nonresident snowmobile user certificate, and one dollar (\$1.00) from each over-snow traveler certificate issued by the vendor shall be credited by the state treasurer to the state snowmobile search and rescue fund created in section 67-2913A, Idaho Code.
- (2) Each county with a bona fide snowmobile program shall be entitled to receive from the department eighty-five percent (85%) of the moneys generated for that county during that certificate of number period. Counties with a bona fide snowmobile program may use up to fifteen percent (15%) of their county snowmobile moneys upon recommendation by their county snowmobile advisory committee for snowmobile law enforcement purposes.

- (3) Up to fifteen percent (15%) of the revenue generated from snowmobile certificates of number and over-snow traveler certificates of number each year may be used by the department to defray administrative costs. Any moneys unused at the end of the fiscal year shall be returned to the state treasurer for deposit in the state snowmobile fund.
- (4) Vendors shall be entitled to charge an additional one dollar and fifty cents (\$ 1.50) handling fee per certificate of number for the distribution of certificates of number. Handling fees collected by the department shall be deposited to the state snowmobile fund.
- (5) For those certificates of number not designated to a bona fide county snowmobile program, the moneys generated shall be deposited to the state snowmobile fund, and such fund shall be available to the department for snowmobile-related expenses.

§ 67-7107. Over-snow vehicles -- County advisory committee

The county commissioners of any county with a bona fide snowmobile program ~~may shall~~ appoint a snowmobile advisory committees to serve without salaries and wages in an advisory capacity relating to the establishment and maintenance of parking and unloading areas on public and private property, and the expenditure of moneys deposited in the county snowmobile fund; and to serve at the pleasure of the county commissioners. No less than two-thirds of ~~the~~ persons selected shall be active snowmobilers representing snowmobile clubs, organizations, or merchants engaged in the sale or rental of ~~snowmobiles~~over-snow vehicles, or be a member of the general public actively engaged in the sport of snowmobiling. The remaining persons selected shall be of the class previously mentioned, or be active over-snow travelers representing clubs or organizations, or persons actively engaged in over-snow travel.

The board of county commissioners of any county with a bona fide snowmobile program is hereby authorized, upon advisement of the special advisory committee, to use and expend the special fund created in section 67-7106, Idaho Code, outside the county.

§ 67-7108. Prohibition against numbering by political subdivisions

The provisions of this chapter shall govern the numbering and registration of over-snow vehicles, off-highway vehicles and over-snow travelers~~snowmobiles, all terrain vehicles, motorbikes, specialty off-highway vehicles and utility type vehicles~~ operated or traveling in this state. All political subdivisions of the state are expressly prohibited from numbering or registering over-snow vehicles, off-highway vehicles and over-snow travelers ~~snowmobiles, all terrain vehicles, motorbikes, specialty off highway vehicles and utility type vehicles~~ in any respect.

§ 67-7110. Over-snow vehicles -- Restrictions

It shall be unlawful for any person to drive or operate any ~~snowmobile~~over-snow vehicle:

- (1) At a rate of speed greater than reasonable and prudent under the existing conditions.

- (2) In a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either, or to harass, chase or annoy any wild game animals or birds or domestic animals.
- (3) Without a lighted headlight and taillight between the hours of dusk and dawn, or when upon or crossing any public roadway or highway, or when otherwise required for the safety of others.
- (4) Without an adequate braking device which may be operated by either hand or foot.
- (5) Without an adequate muffler, except when used in conjunction with public racing events.
- (6) Upon a public roadway or highway without a valid motor vehicle operator's license, unless the public roadway or highway is closed to other motor vehicle travel.

§ 67-7109. ~~Over-snow vehicles~~ -- Prohibition against highway operation -- Exceptions

No person shall operate an ~~an over-snow vehicle snowmobile~~ upon any highway or public roadway in this state, with the following exceptions:

- (1) Properly numbered ~~snowmobiles over-snow vehicles~~ may cross, as directly as possible after a full and complete stop, highways and public roadways, except controlled access highways, provided that the crossing can be made in safety and that it does not interfere with the free movement of vehicular traffic approaching from either direction on the highway or public roadway. It shall be the responsibility of the operator of the ~~over-snow vehicle snowmobile~~ to yield the right-of-way to all vehicular traffic upon any highway or public roadway before crossing.
- (2) Loading or unloading shall be done without causing a hazard to vehicular traffic approaching from either direction on a highway or public roadway. Loading or unloading shall be accomplished with regard to safety, at the nearest possible point to the area of operation.
- (3) The prohibition against operating ~~over-snow vehicles snowmobiles~~ upon highways and public roadways shall not apply to any highway or public roadway drifted or covered with snow to an extent that travel on it by other motor vehicles is impractical or impossible.
- (4) ~~Over-snow vehicle Snowmobiles~~ may be operated on that portion of a highway or public roadway right-of-way that is not maintained or utilized for the operation of conventional motor vehicles.
- (5) Local authorities may, by ordinance, specifically designate public roadways upon which ~~over-snow vehicles snowmobiles~~ may be operated.

§ 67-7111. Accident resulting in personal injuries or property damage

The operator of any ~~over-snow vehicle or off-highway vehicle snowmobile~~ involved in any accident resulting in injuries to or death to any person or property damage in the estimated amount of two hundred dollars (\$ 200) or more, or a person acting for the operator, or the owner of the ~~over-snow vehicle or off-highway vehicle snowmobile~~ having knowledge of the accident should the operator ~~of the snowmobile~~ be

unknown, shall immediately notify a proper law enforcement agency of the facts relating to the accident and within five (5) days file a report of the circumstances with the department on forms prescribed by the department. For any accident occurring on a highway or public roadway the owner, the operator, or both shall be subject to the provisions of section 49-2417, Idaho Code.

§ 67-7112. Groomed snowmobile trails

~~Counties shall have the option to allow all terrain vehicles and snowmobiles over one thousand (1,000) pounds unladen gross weight, if numbered as a snowmobile, to use snowmobile trails in the county. No other vehicles shall operate on groomed snowmobile trails unless specifically allowed by the county. Any all terrain vehicle and snowmobile over one thousand (1,000) pounds unladen gross weight operating on groomed snowmobile trails during the winter snowmobiling season when the trails are groomed shall be numbered as a snowmobile under the provisions of section 67-7103, Idaho Code. Violation of the provisions of this section shall be an infraction.~~

- ~~(1) No person shall travel upon or operate any motor vehicle upon any groomed snowmobile trail except as authorized by this section.~~
- ~~(2) Snowmobiles weighing one thousand (1,000) pounds unladen gross weight or less, if numbered as a snowmobile under the provisions of this chapter, shall be permitted to travel upon and operate upon any groomed snowmobile trails.~~
- ~~(3) Off-highway vehicles and snowmobiles over one thousand (1,000) pounds unladen gross weight, if numbered as a snowmobile under the provisions of this chapter, shall be permitted to travel upon groomed snowmobile trails, provided that counties shall have the option to prohibit, restrict, limit or regulate the manner, method and weight of such vehicles while traveling on groomed snowmobile trails, or portions thereof, maintained by the county. Any off-highway vehicle and snowmobile over one thousand (1,000) pounds unladen gross weight operating on groomed snowmobile trails shall be numbered as a snowmobile under the provisions of this chapter.~~
- ~~(4) Over-snow travelers issued a certificate of number pursuant to the provisions of this chapter shall be entitled to travel upon groomed snowmobile trails, provided that counties shall have the option to prohibit, restrict, limit or regulate the manner, method and weight of over-snow travel on groomed snowmobile trails, or portions thereof, maintained by the county.~~
- ~~(5) If a county exercises its authority granted under this section to prohibit, restrict, limit or regulate use of groomed snowmobile trails maintained by the county, the county shall conspicuously post, by signage, such prohibitions, restrictions, limits or regulations along the groomed snowmobile trails where such prohibitions, restrictions, limits or regulations are applicable.~~

§ 67-7113. Violations -- Accountable for property damage

- (1) Unless otherwise provided in this chapter, any person who violates any provision of this chapter, or any rule promulgated by the department pursuant to this chapter, shall be guilty of an infraction and shall be punished by a fine of one hundred dollars (\$ 100).
- (2) In addition thereto, the operator and/or owner of the ~~snowmobile-over-snow vehicle or off-highway vehicle~~ shall be responsible and held accountable to the owner of any lands where trees, shrubs or other property have been damaged as the result of travel over their premises.

§ 67-7114. Operation under the influence of alcohol, drugs or any other intoxicating substance

Any person driving or operating an over-snow vehicle or off-highway vehicle ~~snowmobile, motorbike, utility type vehicle, specialty off highway vehicle or all terrain vehicle while~~ under the influence of alcohol, drugs or any other intoxicating substance on a public roadway or highway or off-highway shall be guilty of a misdemeanor.

§ 67-7115. Winter recreational parking permit -- Fee -- Fines -- Permits for snowmobile over-snow vehicle owners -- Exemptions

- (1) Except as hereinafter provided, no person shall, from November 15 of any year to April 30 of the next year, park a vehicle in a winter recreational parking location unless the vehicle displays an annual or temporary parking permit. The annual permit shall be permanently affixed and the temporary permit shall be temporarily affixed on the front window of the vehicle nearest the driver's seat in such a manner that they are completely visible and shall be kept in a legible condition at all times.
- (2) The fee for the annual permit and the temporary permit shall be set by the board, but shall not exceed thirty dollars (\$ 30.00) for the annual permit or ten dollars (\$ 10.00) for the temporary permit.
- (3) The owner of any vehicle, as defined in chapter 1, title 49, Idaho Code, that violates the provisions of subsection (1) of this section has committed an infraction punishable as provided under section 18-113A, Idaho Code, and shall be punished with a fine of not less than twenty dollars (\$ 20.00) or more than fifty dollars (\$ 50.00). The fact that a motor vehicle which is illegally parked under the provisions of this chapter is registered or leased in the name of a person shall be considered prima facie evidence that the person was in control of the vehicle at the time of parking.
- (4) ~~Snowmobile~~ Owners of over-snow vehicles, when ~~snowmobiling~~ operating their over-snow vehicle, shall be allowed to park their transportation vehicles in a designated winter recreational parking area without displaying a parking permit.
- (5) No parking permit shall be required under the provisions of this section for a vehicle owned and operated by the United States, any state or a political subdivision of a state, or a vehicle registered in another state, if that vehicle displays a similar cross-country skiing permit, but only to the extent that an exception or privilege is granted under the laws of that state for permit holders from this state.

§ 67-7116. Printing, distribution and sale of winter recreational parking permits

- (1) The department shall print the parking permits and shall supervise the sale of the permits throughout the state.

- (2) The department shall distribute and sell the permits directly or may authorize vendors under agreement according to rules and regulations of the department. The department may require that the authorized vendors shall be bonded in accordance with rules and regulations of the department. Authorized vendors will receive a stipulated commission for each permit sold.

§ 67-7117. Cross-country skiing recreation account

There is established in the state treasury an account to be known as the "cross-country skiing recreation account," into which the money specified in section 67-7118, Idaho Code, shall be deposited. The board is charged with the administration of the account for the purposes specified in section 67-7118(3), Idaho Code. All claims against the account shall be examined, audited and allowed in the same manner now or hereafter provided by law for claims against the state, except that the board is empowered to enter into agreements with the counties for the disbursement of funds to them on a project by project basis.

§ 67-7118. Distribution of fees

The moneys collected by or for the board on the sale of each winter recreational parking permit shall be allocated as follows:

- (1) The authorized vendor shall be entitled to receive a commission of one dollar (\$ 1.00) on each permit sold, which sum may be retained as compensation for the sale of the permit.
- (2) Fifteen per cent (15%) shall be allotted to the department for the production of the parking permits and necessary administration expenses incurred by the department in carrying out the provisions of section 67-7115(3), Idaho Code, which moneys shall be placed in the park and recreation account.
- (3) The balance shall be transmitted to the state treasurer for deposit to the credit of the cross-country skiing recreation account to be appropriated first for the reimbursement for costs incurred in the removal of snow from winter recreation parking locations. Any remaining monies may be appropriated to provide grants to public or nonprofit entities for the acquisition, lease, development and maintenance of sanitation facilities, trail marking and other facilities designed to promote the health and safety of persons engaged in cross-country skiing.

§ 67-7119. Requirement that over-snow travelers be numberedCross-country skiing advisory committees. [Repealed.]

~~Repealed by S.L. 2013, ch. 29, § 1, effective July 1, 2013.~~

- ~~(1) Except as otherwise provided, no over-snow traveler shall travel upon any groomed snowmobile trail within the jurisdiction of the state of Idaho unless numbered as provided in this chapter. The foregoing applies to residents and nonresidents of the state.~~

- (2) Before traveling upon a groomed snowmobile trail every over-snow traveler shall file an application for number with the department on forms approved by the Department. The application shall be signed by the over-snow traveler and shall be accompanied by a fee of thirty-one dollars (\$ 31.00). Upon receipt of the application the department shall issue to the applicant a certificate of number stating the number assigned to the over-snow traveler and the name and address of the over-snow traveler. The over-snow traveler shall attach or carry the validation sticker in a manner as may be prescribed by rules of the department. The certificate of number shall be available at all times for inspection wherever the over-snow traveler is traveling upon a groomed snowmobile trail.
- (3) The department may issue any certificate of number directly or may authorize any persons to act as vendor for the issuance. In the event a person accepts the authorization, he may be assigned a block of validation stickers and certificates of number which upon issue, in conformity with this chapter and with any rules of the department, shall be valid as if issued directly by the department.
- (4) Vendors shall be entitled to charge an additional one dollar and fifty cents (\$ 1.50) handling fee per certificate of number for the distribution of certificates of number. Handling fees collected by the department shall be deposited to the state snowmobile fund.
- (5) All records of the department made or kept pursuant to this section shall be public records.
- (6) The issuance of a certificate of number to an over-snow traveler shall be personal to the over-snow traveler to whom it is issued and shall not be transferable or assignable.
- (7) All issued certificates of number pursuant to this section shall expire at 11:59 a.m. on October 31 of each year.
- (8) It shall be unlawful for any person, while engaged in over-snow travel on a groomed snowmobile trail, to –
- a. Act in a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either, or to harass, chase or annoy any wild game animals or birds or domestic animals.
 - b. Travel without an illuminated headlamp between the hours of dusk and dawn, or when upon or crossing any public roadway or highway, or when otherwise required for the safety of others.

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§§ 67-7120, 67-7121. [Reserved.]

§ 67-7122. Off-highway vehicles -- Application for certificate of number -- Attachment of validation stickers -- Certificate -- Fees

- (1) On or before January 1 of each year, the owner of any ~~all-terrain vehicle, motorbike, specialty off-highway vehicle or utility type vehicle as defined in section 67-7101, Idaho Code~~ off-highway vehicle, or any motorcycle as defined in section 49-114, Idaho Code, used off public highways, on

highways located on state lands or federal lands which are not part of the highway system of the state of Idaho or on highways as prescribed in section 49-426(3) and (4), Idaho Code, but excluding those vehicles used exclusively on private land for agricultural use or used exclusively for snow removal purposes as provided in section 49-426(2), Idaho Code, shall obtain a number certificate for that vehicle at any vendor authorized by the department. Effective January 1, 2010, a fee of twelve dollars (\$ 12.00) shall be charged for each number certificate, which fee includes a one dollar and fifty cent (\$ 1.50) fee to be retained by the vendor and the remainder of which shall be remitted to the department together with information noting the number of the certificate issued, the identity of the owner that purchased the number certificate, the owner's designated county use area and the type of machine to which the owner will affix the certificate of number, e.g., motorbike, all-terrain vehicle, utility type vehicle or specialty off-highway vehicle. The foregoing shall not prohibit the department from collecting such further information as it may deem necessary or helpful to its administrative duties under this chapter.

- (2) At the time of sale from any dealer, each ~~motorbike, all-terrain vehicle or utility type vehicle~~ off-highway vehicle sold to an Idaho resident, but excluding those vehicles to be used exclusively on private land for agricultural use or used exclusively for snow removal purposes as provided in section 49-426(2), Idaho Code, must obtain a number certificate.
 - (a) Application blanks and validation stickers shall be supplied by the department and the validation sticker shall be issued to the person making application for number certificate.
 - (b) All number certificates that are issued shall be in force through December 31 of the issued year. All number certificates shall be renewed by the owner of the ~~all-terrain vehicle, motorbike, specialty off highway vehicle or utility type vehicle~~ off-highway vehicle in the same manner provided for in the initial securing of the same or with any vendor authorized by the department. A vendor issuing a renewal number certificate shall retain a one dollar and fifty cent (\$ 1.50) vendor fee and remit the remainder of the twelve dollar (\$ 12.00) renewal number certificate fee to the department together with information noting the number of the certificate issued, the identity of the owner that purchased the number certificate, the owner's designated county use area, and the type of machine to which the owner will affix the validation stickers, e.g., motorbike, all-terrain vehicle, utility type vehicle or specialty off-highway vehicle. The foregoing shall not prohibit the department from collecting such additional information as it may deem necessary or helpful to its administrative duties under this chapter.
 - (c) The issued validation sticker shall be placed upon the restricted vehicle license plate of the ~~all-terrain vehicle, motorbike or utility type vehicle~~ off-highway vehicle, or upon the right fork of a vehicle registered pursuant to section 49-402(3), Idaho Code, or of a motorbike if used exclusively off-highway, or upon the rear fender of an all-terrain vehicle, specialty off-highway vehicle or utility type vehicle if used exclusively off-highway. The placement shall be made in such a manner that it is completely visible, does not cover the license plate numbers or letters, if licensed, and shall be kept in a legible condition at all times.
- (3) For operation of a motorbike that meets the requirements specified in section 49-114(10), Idaho Code, on the public highways, the vehicle shall also be registered pursuant to the provisions of section 49-402(3), Idaho Code. A motorbike that meets the requirements specified in section 49-114(10), Idaho Code, and that is registered pursuant to section 49-402(3), Idaho Code, shall not be

required to obtain a restricted license plate pursuant to section 49-402(4), Idaho Code. ~~An off-highway vehicle, motorbike, all terrain vehicle, specialty off highway vehicle or utility type vehicle~~ operated exclusively off-highway or on highways located on state lands or federal lands which are not part of the highway system of the state of Idaho and that meet the registration requirements specified in this section shall not be required to obtain a restricted vehicle license plate pursuant to section 49-402(4), Idaho Code.

~~(3)(4) Resident and nonresident owners of off-highway vehicles used for rental purposes shall purchase validation stickers for twenty two and 50/100ths dollars (\$ 22.50) and the validation stickers shall be displayed on the machine at all times as provided in this section.~~

~~(4) Nonresidents shall be allowed to purchase a restricted vehicle license plate pursuant to section 49-402(4), Idaho Code, and/or a number certificate for an all terrain vehicle, motorbike or utility type vehicle.~~

§ 67-7123. Off-highway vehicles -- Transfer of number certificates and restricted vehicle license plate

The purchaser of an ~~all terrain vehicle, utility type vehicle or motorbike, off-highway vehicle which that~~ has been previously issued a number certificate pursuant to section 67-7122, Idaho Code, and issued a restricted vehicle license plate pursuant to section 49-402, Idaho Code, shall within fifteen (15) days after acquiring same, make application to the county assessor or county motor vehicle office as may be designated by the county assessor for transfer to him of the number certificate and restricted vehicle license plate issued to the vehicle, giving the same information as on the original application and the number of the number certificate and restricted vehicle license plate, and shall at the same time pay a transfer fee of one dollar and fifty cents (\$ 1.50).

§ 67-7124. Off-highway vehicles -- Nonresident OHV user certificate required-- Exemption

~~(1) The provisions of section 67-7122, Idaho Code, regarding number certificates shall not apply to any nonresident owner, provided the all terrain vehicle, utility type vehicle, specialty off highway vehicle or motorbike is currently and properly registered or numbered in the state of the owner's residence. Owners of an all terrain vehicle, utility type vehicle, specialty off highway vehicle or motorbike from states that do not have a registration or numbering requirement shall be numbered in Idaho under the provisions of section 67-7122, Idaho Code, prior to operation in this state.~~

~~(2) Nonresidents with an all terrain vehicle, utility type vehicle, specialty off highway vehicle or motorbike registered or numbered in another state shall have the same use privileges and responsibilities as a resident of this state with a properly registered or numbered vehicle.~~

~~The owner of a nonresident, noncommercial off-highway vehicle shall not be required to comply with the certificate of numbering requirements of the state of Idaho, but shall be required to obtain a nonresident OHV user certificate. A fee of twelve dollars (\$ 12.00) shall be imposed for the issuance of a nonresident OHV user certificate. The validation stickers shall be displayed in the same manner~~

as provided in section 67-7122, Idaho Code. Nonresident OHV user certificates shall be valid beginning January 1 through December 31 of the year of issuance. Issuance and administration of nonresident OHV user certificates shall be conducted in the same manner as provided in section 67-7122, Idaho Code, for numbering of off-highway vehicles.

(1) For purposes of this section, "nonresident" shall be as defined in section 36-202, Idaho Code.

(2) Nonresidents shall be allowed to purchase a restricted vehicle license plate pursuant to section 49-402(4), Idaho Code.

§ 67-7125. Off-highway vehicles -- Noise abatement

- (1) Except as hereinafter provided, every vehicle subject to numbering under sections 67-7122 and 67-7124, Idaho Code, shall comply with the provisions of this section. Every vehicle subject to the provisions of this section shall at all times be equipped with an exhaust system in good working order and in constant operation. If the vehicle was originally equipped with a noise suppressing system or if the vehicle is required by law or regulation of this state or the federal government to have a noise suppressing system, that system shall be maintained in good working order. No person shall disconnect, modify or alter any part of that system in any manner which will amplify or increase the vehicle's noise emission above the noise limits established in subsection (3) of this section, except temporarily in order to make repairs, replacements or adjustments. No person shall operate and no owner shall cause or permit to be operated any vehicle while the vehicle's noise emission exceeds the noise limits established in subsection (3) of this section or while the vehicle's noise suppressing system is disconnected, modified or altered in violation of the provisions of this section.
- (2) No person shall operate a vehicle subject to the provisions of this section unless that vehicle is equipped with a spark arrester device affixed to the exhaust system of a type qualified and rated by the United States forest service. The provisions of this subsection shall not apply to vehicles being operated off the highway in an organized racing or competitive event which is conducted on private land with the consent of the landowner.
- (3) Any vehicle subject to the provisions of this section shall at all times be equipped with a noise suppressing system or other device which limits noise emission to a base level of not more than ninety-six (96) decibels when measured on the "A" scale using standards and procedures established by the society of automotive engineers (SAE), specifically SAE standard J1287, June, 1988, describing a test of a stationary vehicle with sound measured twenty (20) inches and forty-five (45) degrees from the exhaust outlet, or as otherwise described. The provisions of this subsection shall not apply to vehicles being operated off the highway in an organized racing or competitive event which is conducted on private land with the consent of the landowner or on public land under permit.
 - (a) The department shall adopt regulations in accordance with chapter 52, title 67, Idaho Code, establishing the test procedures and instrumentation to be utilized. These procedures shall incorporate requirements for the test site environment and sound measuring equipment as set forth in SAE standard J1287, June, 1988.

- (b) Instrumentation shall include but not be limited to a sound level meter meeting the type 1, type S1A, type 2, or type S2A requirements of the American national standards institute (ANSI) specification for sound level meters, S1.4-1983; a sound level calibrator, microphone wind screen, external engine speed tachometer.
- (4) A showing that the noise emission level of any vehicle subject to and not otherwise exempt from the provisions of this section exceeds ninety-six (96) decibels, as described and tested in subsection (3) of this section, shall be prima facie evidence of a violation of subsection (1) of this section.

§ 67-7126. Off-highway vehicles -- Establishment of motorbike recreation account -- Distribution of fees

There is established in the state treasurer's office an account to be known and designated as the "motorbike recreation account." The twelve dollar (\$ 12.00) fee collected for off-highway vehicle number certificates under sections 67-7122 and 67-7124, Idaho Code, shall be allocated as follows:

- (1) Vendors shall charge and retain one dollar and fifty cents (\$ 1.50) for a handling fee;
- (2) Up to fifteen percent (15%) shall be allotted to the department for administration and for the production of number certificates and validation stickers, which moneys shall be placed in the motorbike recreation account. The department shall annually publish a report specifically identifying the uses of account moneys;
- (3) One dollar (\$ 1.00) shall be deposited into the off-highway vehicle law enforcement fund. Moneys in said fund shall be paid and used as follows:
 - (a) Sheriffs of counties with a current or an actively developing off-highway vehicle law enforcement program recognized by the department shall receive moneys from the fund based upon a formula as provided in rule promulgated by the board; and
 - (b) Moneys from the fund shall be used only for off-highway related law enforcement activities; and
- (4) One dollar (\$ 1.00) shall be allocated to the Idaho department of lands to provide off-highway vehicle opportunities and to repair damage directly related to off-highway vehicle use. The department of lands shall annually publish a report specifically identifying the uses of moneys allocated pursuant to this subsection; and
- (5) The remaining funds shall be transmitted to the state treasurer's office for deposit to the credit of the motorbike recreation account, all such moneys to be transmitted to the state treasurer on or before the tenth day of each month, provided that all remaining funds on account of fees collected from nonresident OHV users pursuant to section 67-7124 shall be allocated as provided for in section 67-7129, Idaho Code.

Collection of fees for off-highway vehicle number certificates shall not impose any additional liability on the state of Idaho or any of its political subdivisions or upon the employees of the state and of its political subdivisions, and those entities and persons shall retain the limitations of liability provided by section 36-1604, Idaho Code, regardless of the use of such fees.

§ 67-7127. Off-highway vehicles -- Use of moneys in motorbike recreation account

The board shall administer the motorbike recreation account. The moneys derived from this account shall be used as follows:

- (1) For the securing of special leases, use licenses, recreation easements or permits, or for the actual purchase of land under private, state or federal ownership to be used for public recreational off-highway vehicle activity;
- (2) For the securing, maintenance, construction or development of trails and other recreational facilities for public off-highway vehicle use on private, state and federal lands;
- (3) To finance the formulation and implementation under the board's direction of an off the road rider education program.
- (4) To acquire applicable federal matching funds.

§ 67-7128. Off-road motor vehicle advisory committee -- Creation -- Selection -- Term of office -- Duty

- (1) The ~~park and recreation~~ board shall appoint an off-road motor vehicle advisory committee (ORMV) of nine (9) members. The membership of the advisory committee shall consist of three (3) members each from northern Idaho, southwestern Idaho, and southeastern Idaho. Two (2) members from each area shall represent the following groups: motorbikes, ATV or UTV riders and snowmobilers. One (1) member interested in ORMV projects shall be appointed from each area without regard to the recreational activity in which that member participates and shall represent interests other than motorbike, ATV or UTV riders and snowmobilers. Each member of the advisory committee shall be chosen by the ~~park and recreation~~ board to serve a term of three (3) years, except that the term of the initial appointees shall commence on the date of appointment and shall be of staggered lengths. Each member of the advisory committee shall be a qualified elector of the state. Duties shall include:
 - (a) Representing the best interests of the ORMV users and activities which they represent in the district from which they are appointed;
 - (b) Advising the department as to whether proposed ORMV projects meet the needs of ORMV users in that area;
 - (c) Advising the department as to how funds can be used to rehabilitate areas on public or private lands and how the department can assist in the enforcement of laws and regulations governing the use of off road off-highway vehicles in the state of Idaho;
 - (d) The three (3) motorbike, all-terrain vehicle or utility type vehicle representatives from the ORMV advisory committee shall advise the department on matters relating to the use of moneys in the motorbike recreation account as provided for in section 67-7127, Idaho Code.
- (2) The committee shall be compensated as provided in section 59-509(f), Idaho Code, and authorized by the department.

§ 67-7129. Penalties. [Repealed.]Off-highway vehicles – county OHV recreation programs

~~Repealed by S.L. 2016, ch. 120, § 3, effective July 1, 2016. For present comparable provisions, see § 67-7113.~~

- ~~(1) Any county may develop, establish, implement and maintain an OHV recreation program. Such county OHV recreation programs must exist for the purpose of providing OHV recreation opportunities and/or OHV rider education, including those activities described in section 67-7127, Idaho Code. A purpose of such a county OHV recreation program shall not be the conduct of law enforcement activities, which is otherwise provided for in section 67-7126, Idaho Code.~~
- ~~(2) A county OHV recreation program established pursuant to this section must approved by the department. In approving any application for recognition of a county OHV recreation program pursuant to this section the department must determine that the county OHV recreation program meets the requirements for recognition as set forth in this section.~~
- ~~(3) The county commissioners of any county with a county OHV recreation program shall appoint an OHV advisory committee to serve without salaries and wages in an advisory capacity relating to establishment and operation of the county OHV recreation program, and the expenditure of moneys deposited with the county under this section, and to serve at the pleasure of the county commissioners. The persons selected shall be active OHV users representing OHV clubs, organizations, or merchants engaged in the sale or rental of off-highway vehicles, or be a member of the general public actively engaged in the sport of off-highway vehicle recreation. The board of county commissioners of any county with a county OHV recreation program approved under this section is hereby authorized, upon advisement of the special advisory committee, to use and expend the moneys allocated to the county under this section in areas outside the county.~~
- ~~(4) A county OHV recreation program recognized by the department pursuant to this section shall be entitled to receive moneys allocated pursuant to section 67-7126(5), Idaho Code, based upon a formula as provided in rules promulgated by the board. Any moneys allocated for use under this section that are unused or not allocated shall be returned to the motorbike recreation account for use pursuant to section 67-7127, Idaho Code.~~
- ~~(5) Recognition of a county OHV recreation program pursuant to this section shall be valid for three (3) years, at which time the county must reapply for recognition as provided for in this section.~~

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§§ 67-7130. [Reserved.]

§§ 67-7131. [Reserved.]Voluntary donations to accounts

(1) An applicant for a certificate of number for an over-snow vehicle, pursuant to sections 67-7103 and 67-7104, may make a voluntary donation of two and 50/100 dollars (\$ 2.50) or more to support the state snowmobile fund in conjunction with the application for certificate. The department shall include a checkoff form to allow an applicant to designate such a donation and shall transfer all such funds received to the state snowmobile fund, as established by section 67-7106, Idaho Code, on or before the fifteenth day of each month. None of the proceeds from voluntary donations pursuant to the foregoing shall be used for administrative expenses of the department.

(2) An applicant for a certificate of number for an off-highway vehicle, pursuant to sections 67-7122 and 67-7124, may make a voluntary donation of three dollars (\$ 3.00) or more to support the motorbike recreation account in conjunction with the application for certificate. The department shall include a checkoff form to allow an applicant to designate such a donation and shall transfer all such funds received to the motorbike recreation account, as established by section 67-7126, Idaho Code, on or before the tenth day of each month. All of the proceeds from voluntary donations pursuant to the foregoing shall be used only for the purposes described in section 67-7127, Idaho Code.

§ 67-7132. Rules and regulations

The ~~director board~~ shall adopt and enforce administrative rules and regulations under the provisions of chapter 52, title 67, Idaho Code, as necessary to carry out the provisions of this chapter.

§ 67-7133. Responsibility for enforcement

The provisions of this chapter, and any rule promulgated by the ~~department board~~ pursuant to this chapter, shall be enforced by the law enforcement personnel of the Idaho state police, the department of fish and game, employees of the department of parks and recreation authorized by the director of the Idaho state police, the sheriffs and their deputies of the various counties in the state and peace officers of each city.