

***RESOURCES & CONSERVATION COMMITTEE***

***ADMINISTRATIVE RULES REVIEW***

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***2013 Legislative Session***

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# **IDAPA 26 - DEPARTMENT OF PARKS AND RECREATION**

## **26.01.36 - RULES GOVERNING THE WINTER RECREATIONAL PARKING PERMIT PROGRAM**

**DOCKET NO. 26-0136-1201**

### **NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is **October 1, 2012**.

**AUTHORITY:** In compliance with Sections 67-5226 and 67-5221, Idaho Code, notice is hereby given this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. This action is authorized pursuant to Section 67-4223, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than December 19, 2012.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

IDPR has expanded on-line services to include purchasing a three-day, temporary Park`N`Ski pass. The current rule states the three-day pass is in the form of a hangtag and must be hung on the vehicle's rear-view mirror. A customer who purchases the three-day pass will receive an 8x10 document with the valid dates listed. This rule change removes the hangtag language and replaces it with language that the temporary three-day permit shall be displayed on the vehicles' dashboard.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The winter recreation season begins prior to the Legislative Session. Therefore, the on-line service for the temporary three-day permit must be available for purchase by winter recreation customers at the beginning of the winter season.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: None.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5226(1), Idaho Code, negotiated rulemaking was not conducted because the rules changes are simple in nature.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Tamara Humiston, IDPR Deputy Director, 208.514.2450.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before December 26, 2012.

DATED this 29th day of October, 2012

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**THE FOLLOWING IS THE TEMPORARY RULE  
OF DOCKET NO. 26-0136-1201**

**050. LOCATION OF PERMIT ON VEHICLE.**

The annual winter recreational parking permit shall be permanently affixed on the front window of the vehicle nearest the driver's seat and the temporary three-day permit shall be ~~hung on the vehicle's interior rear-view mirror~~ displayed on the vehicle's dashboard with the dated side displayed to the front of the vehicle in such a manner that it is completely visible and shall be kept in legible condition at all times. No person shall transfer or attempt to transfer an annual winter recreational parking permit decal or a temporary three-day permit ~~hangtag~~ from the vehicle upon which it was legally registered and placed. ~~(7-1-99)~~(10-1-12)T

**051. -- 099. (RESERVED)**

**100. PERMIT COST, EXPIRATION.**

The fee for an annual winter recreational parking permit shall not exceed thirty dollars (\$30). The fee for a temporary winter recreational parking permit shall not exceed ten dollars (\$10). The annual winter recreational parking permit is valid until the expiration date printed on the decal. The temporary winter recreational parking permit is valid for only the three (3) consecutive days written on the permit ~~hangtag~~. ~~(7-1-99)~~(10-1-12)T