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39.02.41 - RULES GOVERNING SPECIAL PROVISIONS APPLICABLE TO FEES FOR SERVICES

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**IDAPA 39
TITLE 02
Chapter 41**

**39.02.41 - RULES GOVERNING SPECIAL PROVISIONS
APPLICABLE TO FEES FOR SERVICES**

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Sections 49-201(1), 49-202(2), and 67-2510, Idaho Code. (9-4-91)

001. TITLE AND SCOPE.

This rule identifies special provisions applicable to fees for services not specifically outlined in Title 49, Idaho Code. (12-26-90)

002. -- 099. (RESERVED).

100. ADMINISTRATION.

Idaho Code provides for the collection of fees for related services. This rule provides for automation considerations and a fee schedule to uniformly apply the ten dollar (\$10) per-hour fee provided by Idaho Code. The following fees apply for services and copies of files regarding motor vehicle or other registration, motor vehicle titles, drivers' licenses or commercial drivers licenses, and are based on a ten dollar (\$10) per-hour photocopying charge: (12-26-90)

01. Paper or Microfilm Records. Copies of supporting driver's license, registration, or title records from paper or microfilm records, based on an average of twenty-four (24) minutes to fully process these requests. FEE PER DOCUMENT, four dollars (\$4). (9-4-91)

02. Automated Records. Idaho Code does not provide a fee for complete county or statewide automated copies of driver's license, registration or title files. A fee has been based on the costs to produce special file requests. (12-26-90)

a. A base charge for programs requiring: One (1) to three (3) sorts, seventy-five dollars (\$75). Each additional sort, twenty-five (\$25). (12-26-90)

b. In addition to the above, the computer cost, printer cost and tape access cost, as established by ISDP will be charged. (12-26-90)

c. Any mailing, shipping or special handling costs will also be added to the charges. (12-26-90)

03. Magnetic Tapes Must be Provided. Requestors must provide magnetic tapes for this purpose. Data is provided in a standard department format. Vehicle or driver history information is not included. The only selection criteria is by counties. (12-26-90)

04. Records Provided Free of Charge. Motor vehicle and driver records will be provided free of charge to the following: (9-4-91)

a. State Agencies. (9-4-91)

b. County Assessors. (9-4-91)

c. County Sheriffs. (9-4-91)

d. Peace Officers requesting records in the performance of their duties as per Section 49-202(3), Idaho Code. (9-4-91)

05. Rules for Providing Records Free of Charge. The Motor Vehicle Bureau shall observe the following guidelines when providing records free of charge: (9-4-91)

a. Records will be provided free of charge only if they are a standard computer run that does not require special programming and/or sorting. Records requiring special handling will be provided for a fee equal to the cost of the additional handling. (9-4-91)

b. Records will be provided free of charge on computer tapes supplied by the requestor, or as a standard computer printout. All other formats will be provided for a fee equal to the cost of the additional materials. (9-4-91)

c. The Assessor's Clearinghouse and the Sheriff's Clearinghouse shall each establish a single standardized computer printout that will be used for all motor vehicle and driver requests from their respective agencies. (9-4-91)

d. Records access agreements between the Motor Vehicle Bureau and agencies requesting motor vehicle and driver records shall be negotiated and renewed annually, and shall contain a list of all personnel who will have access to the records and/or on-line terminals. (9-4-91)

e. On-line computer installation and equipment shall be charged at a rate defined in the annual agreement. (9-4-91)

101. -- 199. (RESERVED).

200. LAW ENFORCEMENT INQUIRIES.

The Department provides full access to motor vehicle files by Law Enforcement at no charge through the Idaho Law Enforcement Telecommunication Systems (ILETS). There is also no charge to Law Enforcement for certified MVR packets to peace officers. For additional services beyond access to motor vehicle records (special reports, etc...), actual costs incurred by the Department will be charged. (12-26-90)

201. JURY LISTS.

Idaho Code provides for the use of motor vehicle records for jury lists. The Department does not charge the counties for this use. (12-26-90)

202. SPECIAL AGREEMENTS.

01. Agreements for Services. The Department may enter into agreements for services and copies of motor vehicle files to requestors with special highway safety and statistical reporting requirements. Initial costs incurred by the Department shall be reimbursed by the requestor. Ongoing charges or fees will be based on the agreement. (12-26-90)

02. Right to Receive Information Subject to Idaho Code. This rule is not intended to imply that a requestor has the right to receive information. The fees, as stipulated in this rule, apply when the requestor is eligible to receive the information, subject to Idaho Code. (12-26-90)

203. MISCELLANEOUS.

The fee for vehicle inquiries by name will be based on the proper fee per vehicle. Commercial vehicle inquiries shall be based on a per vehicle fee. (12-26-90)

204. -- 999. (RESERVED).