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**IDAPA 39
TITLE 03
Chapter 81**

39.03.81 - RULES GOVERNING ISSUANCE OF INTRANSIT PERMITS

000. LEGAL AUTHORITY.

This rule is adopted under authority of Sections 49-432, 49-433 and 49-1101 through 49-1104, Idaho Code. (6-4-90)

001. TITLE AND SCOPE.

This rule clarifies the requirements governing the issuance of intransit permits for resident and nonresident vehicle operators or owners. (6-4-90)

002. -- 009. (RESERVED).

010. DEFINITIONS.

01. Caravan Permit. A temporary permit issued to motor vehicles for sale or resale which are being transported interstate or intrastate under Sections 49-1101 and 49-1102, Idaho Code, unless licensed dealers are exempted by Sections 49-104 or 49-1627, Idaho Code. (1-2-93)

02. First Available Location. The first vendor along a nonresident operator's route of travel from whom trip permits can be purchased. (6-4-90)

03. Intransit Permit. A single trip permit, caravan permit or ninety-six (96) hour trip permit. (6-4-90)

04. Ninety-Six (96) Hour Trip Permit. A ninety-six (96) hour temporary trip permit issued in lieu of a special fuel permit/decals and/or full licensing and registration as authorized by Section 49-432, Idaho Code. (1-2-93)

05. Single Trip Permit. A permit issued in lieu of licensing to operate an unlicensed, unladen vehicle from one point in Idaho to another under Section 49-433, Idaho Code. Vehicles exceeding twenty-six thousand (26,000) pounds and operating on special fuel must comply with appropriate sections of Chapter 24, Title 63, Idaho Code, and specifically Section 63-2440, Idaho Code. (1-2-93)

06. Vendor. A governmental agency or commercial business which sells trip permits as an agent of the Idaho Transportation Department. (1-2-93)

011. -- 099. (RESERVED).

100. GENERAL PROVISIONS.

01. Availability. Intransit permits are available to residents and to nonresidents whose state of residence allows temporary trip permits to like vehicles from the state of Idaho. (6-4-90)

02. Purchase of Intransit Permits. (6-4-90)

a. Residents electing to use intransit permits in lieu of registration must purchase permits prior to movement of vehicles on the public highways or roads. Failure to do so will result in mandatory full licensing and registration of such vehicle as required by Sections 49-402 and 49-434, Idaho Code. (6-4-90)

b. Intransit permits must be purchased by nonresidents at the first available location as defined by this rule. The trip permit shall be on a form prescribed by the Department and must be displayed on the windshield of the permitted vehicle. (6-4-90)

03. Purchase of Ninety-Six (96) Hour Permits. (6-4-90)

a. Section 49-432, Idaho Code, provides that owners of motor vehicles or combination vehicles over eight thousand (8,000) pounds gross vehicle weight may, in lieu of full licensing and registration, purchase a ninety-

six (96) hour trip permit for the operation of such vehicles for a ninety-six (96) hour period. (6-4-90)

b. Fees for ninety-six (96) hour trip permits are legislated in Section 49-432, Idaho Code. A base issuance fee of twelve dollars (\$12) per permit is assessed plus a mill per mile fee based upon the maximum gross weight of the vehicle. (6-4-90)

101. -- 199. (RESERVED).

200. PERMIT REQUIREMENTS.

01. Proof of Ownership. An operator or owner of a vehicle shall show proof of ownership before a permit is issued. (6-4-90)

a. Resident vehicle proof of ownership can be documented by a copy of the Idaho title identifying the owner and vehicle; a copy of a valid lease agreement identifying the owner and the vehicle; a copy of an expired registration identifying the current owner and the vehicle; a copy of a valid bill of sale transferring ownership of the vehicle. (1-2-93)

b. Nonresident vehicle proof of ownership can be documented by a copy of a valid registration from a base state, which qualifies for a permit, identifying the owner and the vehicle; a copy of an expired lease agreement of an owner/operator not acting as a lessee which identifies the owner and the vehicle; a copy of a current lease agreement, providing the base state qualifies for a permit, which identifies the owner/operator; a copy of a valid bill of sale transferring ownership of the vehicle; or a copy of the title identifying owner and vehicle. (1-2-93)

02. Weight of Vehicle. Ninety-six (96) hour trip permits shall be sold for the maximum gross weight of a vehicle. (6-4-90)

03. Determination of Maximum Gross Weight. If the registration or proof of ownership of a vehicle does not show the maximum gross weight, the maximum gross weight shall be declared by the owner or operator at the time the permit is purchased. (6-4-90)

04. Add-On-Miles. If an owner or operator of a vehicle has in his possession a ninety-six (96) hour trip permit which has not exceeded the ninety-six (96) hour time limit and additional miles are needed, an "add-on-miles permit" for the additional mileage shall be sold. A separate ninety-six (96) hour trip permit form shall be prepared; however, the twelve dollar (\$12) issuance fee shall not be charged for the "add-on-miles." (6-4-90)

05. Permit Restriction. An owner or operator of a vehicle already registered in this state cannot purchase a permit for the purpose of increasing the registered maximum gross weight. (6-4-90)

06. Purchase of Multiple Permits. Residents or nonresidents who qualify for permits may purchase more than one (1) permit at a time to cover a time period in excess of ninety-six (96) hours. Additional time periods must be in increments of ninety-six (96) hours and the base issuance fee of twelve dollars (\$12) shall be charged for each permit. (6-4-90)

07. Permit Denial. Any person who has been notified by mail at his last known business address as it appears on Department records, that his registration has been suspended or revoked shall not be allowed to register in Idaho by securing an intransit permit. Any person, having been duly notified, who purchases a permit and subsequently operates a vehicle displaying such permit while his registration is suspended or revoked is in violation of this rule. (1-2-93)

201. -- 299. (RESERVED).

300. REFUND OF FEES.

01. Cause for Refund. The Department will grant refunds for permits sold by its vendors or by Ports of Entry, if the permit was sold as the result of an error made by the Department or its vendors. (6-4-90)

02. Request for Refunds. Owners or operators shall address all requests for refunds of trip permit fees to the Idaho Transportation Department, Ports of Entry Section, P.O. Box 7129, Boise, Idaho 83707. (6-4-90)

03. Documentation for Refunds. The following documentation must accompany refund requests: (6-4-90)

a. Both the yellow display copy and the white receipt copy of the permit; (6-4-90)

b. Proof that the vehicle held a valid Idaho registration at the time the permit was issued; and (6-4-90)

c. Proof that special fuel tax was paid at the pump or that the permitted vehicle was registered with the Idaho Tax Commission for quarterly payment of fuel tax at the time the permit was sold. (6-4-90)

04. Denial of Refund. If the certificate of registration of the permitted vehicle was mailed from the Commercial Vehicle Unit or the Motor Vehicle Bureau to the correct address of the owner of the vehicle thirty (30) days or more prior to the purchase of the permit, a request for refund shall be denied. (1-2-93)

301. -- 399. (RESERVED).

400. INTRANSIT PERMIT VENDOR PROGRAM.

01. Vendor Authorization. Intransit permit vendors may sell ninety-six (96) hour trip permits, single trip permits and caravan permits provided the vendor meets state requirements. (6-4-90)

02. Payment to Vendor. Vendors shall be paid by the Department at the rate of two dollars (\$2) per intransit permit sold. (1-2-93)

401--499. (RESERVED)

500. ADDITIONAL REQUIREMENTS.

Any permit required pursuant to Section 49-1004, Idaho Code, shall be in addition to those required by this rule. (6-4-90)

501. -- 999. (RESERVED).