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000.   LEGAL AUTHORITY.
This rule is adopted under the authority of Sections 49-201 and 49-1617(4), Idaho Code, and the Vehicle Dealer Act, Chapter 16, Title 49, Idaho Code.   (12-26-90)

001.   TITLE AND SCOPE.
This rule clarifies the process of collecting filing fees for hearings conducted by the Department for settling disputes between manufacturers and new vehicle dealers.   (12-26-90)

002. -- 099.   (RESERVED).

100.   GENERAL PROVISIONS.

01.   Hearing Officer Appointment. The Director shall appoint a hearing officer to hear the dispute. The hearing officer shall not be a current employee of either a manufacturer or dealer.   (12-26-90)

02.   Location of Hearings. All hearings shall be held in Ada County, Boise, Idaho.   (12-26-90)

03.   Hearing Filing Fee. The dealer requesting a hearing shall deposit a filing fee of two-thousand dollars ($2,000) with the Department. The Department shall apply the filing fee toward the hearing costs which shall include: (12-26-90)

a.   The hearing officer fee and expenses;   (12-26-90)

b.   Department legal expenses;   (12-26-90)

c.   Department investigative expenses pertaining to the dispute;   (12-26-90)

d.   A court recorder, hearing transcript, any witness fees; and   (12-26-90)

e.   Other Department verifiable expenses.   (12-26-90)

04.   Hearing Fee Refunds and Additional Charges. If the total verifiable costs of the hearing are less than two-thousand dollars ($2,000), the Department shall refund the balance. If the costs exceed the two-thousand dollars ($2,000) filing fee, the Department shall bill the responsible party for the remainder which shall be payable after the Department renders a decision.   (12-26-90)

101. -- 999.   (RESERVED).