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**IDAPA 11
TITLE 02
CHAPTER 02**

11.02.02 - IDAHO LIVESTOCK DEALER LICENSING

000. LEGAL AUTHORITY.

The State Brand Board has authority to make rules to implement and administer the provisions of this Title 25, Chapter 33, Idaho Code, relating to livestock dealer licensing. (3-27-13)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.02.02, "Idaho Livestock Dealer Licensing." (3-27-13)

02. Scope. These rules provide for the issuance and administration of livestock dealer licenses, the collection of appropriate fees for licensure, the provision of requirements necessary for licensure, and the enforcement of penalties for violations of the provisions of Title 25, Chapter 33, Idaho Code. (3-27-13)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-27-13)

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this chapter shall be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-27-13)

004. MAILING ADDRESS AND OFFICE HOURS.

The mailing address of the Idaho State Brand Board is P.O. Box 1177, Meridian, Idaho 83680-1177. Office hours are Monday through Friday, 8 a.m. to 5 p.m. Any or all forms used by the Idaho State Brand Board are available for inspection during office hours at 700 S. Stratford, Meridian, Idaho 83642. (3-27-13)

005. -- 009. (RESERVED)

010. DEFINITIONS.

As used in these rules, the following terms have the following meanings: (7-1-93)

01. Board. The state brand board created in Title 25, Chapter 11, Idaho Code. (7-1-93)

02. Livestock. Cattle, swine, bison, horses, mules or asses. (7-1-93)

03. Livestock Dealer. Any person who buys, receives or assembles livestock for his own account for resale within twenty (20) days from the date of purchase, or for the account of another person. This term also includes both a person who pays and the person who does not pay the owner or auction market the full purchase price at the time of taking possession of the livestock. (7-1-93)

04. Person. An individual, partnership, corporation, broker, order buyer, video livestock sale or other type of electronic marketing organization, association or other legal entity. (7-1-93)

05. Representative of a Licensee. Any full time employee, agent or other person who buys, receives, sells, or assembles livestock for resale on behalf of a licensed livestock dealer. (7-1-93)

011. APPLICATION FOR A LICENSE TO REPRESENT A LICENSED LIVESTOCK DEALER.

A separate application is required for a "representative of a licensed dealer." A representative may only represent one (1) licensed livestock dealer at any one time. If an individual desires to act on behalf of more than one (1) dealer, he must apply for a regular livestock dealer license. The licensed livestock dealer who sponsors the applicant must sign and approve the application as well as agree to cover this representative under the dealer's bond. (7-1-93)

012. APPLICATION FEES.

- 01. Annual Fees.** The annual fees cover the period from July 1 to June 30 of the next year. (7-1-93)
- 02. Livestock Dealer.** The application fee for a livestock dealer license is one hundred dollars (\$100). (3-27-13)
- 03. Licensed Dealer.** The application fee for a representative of a licensed dealer is thirty-five dollars (\$35). (3-27-13)

013. FINANCIAL INFORMATION.

Financial information must be filed with an application and must show the gross amount of livestock purchases for the previous year. (7-1-93)

014. LIVESTOCK DEALER BONDS.

A surety bond must be filed to support the application for a livestock dealer license by either of three (3) methods: (7-1-93)

- 01. Bond.** File a bond from an Idaho surety in the amount required by the schedule shown herein. (7-1-93)
- 02. Evidence.** Provide evidence of a bond filed with the Packers and Stockyards U.S.D.A in the amount required. (Subject to verification). (7-1-93)
- 03. Coverage.** To compute the required amount of bond coverage, divide the total dollar value of livestock purchased in Idaho during the preceding year, by one-half the number of days on which business was conducted. The number of days in any business year, for the purpose of this rule shall be two hundred sixty (260). Therefore, the divisor (one-half (1/2) the number of days on which business was conducted) shall be one hundred thirty (130). The amount of bond coverage must be the next multiple of five thousand dollars (\$5,000) above the amount so determined. When the computation exceeds seventy-five thousand dollars (\$75,000) the amount of bond coverage need not exceed seventy-five thousand dollars (\$75,000) plus ten percent (10%) of the excess over seventy-five thousand dollars (\$75,000), raised to the next five thousand dollars (\$5,000) multiple. In no case shall the amount of bond coverage be less than ten thousand dollars (\$10,000). (7-1-93)

015. LICENSE CERTIFICATES AND CARDS.

Upon the board's approval of the application for a livestock dealer's license, the State Brand Inspector will issue a certificate and a card to the licensed livestock dealer. A card will be issued to a "representative of a licensed dealer." (7-1-93)

016. NOTIFICATION REQUIRED.

The office of the state brand inspector must be notified within two (2) days of cancellation of a bond affecting the license of the livestock dealer or, termination of a "representative of a licensed dealer" that has been previously approved. (7-1-93)

017. BRAND INSPECTOR TO REQUIRE DEALER LICENSE NUMBER.

Each licensed livestock dealer and each representation shall provide a livestock dealer license number at the time a brand inspection is made for cattle, horses, mules or asses. The name of the licensed livestock dealer or representative together with the appropriate certificate or card number will be placed on the brand inspection certificate in the space for the "buyer" at the time the brand inspection certificate is written. (7-1-93)

018. RULES APPLY TO OUT OF STATE BUYERS.

- 01. Application.** A livestock dealer who resides outside the state of Idaho may operate as a livestock dealer or representative within the state of Idaho by filing a proper application for an Idaho livestock dealer's license including the complying with the bonding requirements and receive a certificate authorizing such out of state livestock dealer to purchase livestock within the state of Idaho. (7-1-93)
- 02. Applicability.** These rules apply to any livestock dealer purchasing livestock within the state of

Idaho, whether or not such livestock as a destination within or outside the state of Idaho. (7-1-93)

019. LIST OF IDAHO LIVESTOCK DEALERS AVAILABLE.

A current list of licensed livestock dealers authorized to do business purchasing livestock within the state of Idaho, is available upon request at the office of the Idaho State Brand Inspector, Boise, Idaho. (7-1-93)

020. -- 999. (RESERVED)

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