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**IDAPA 39  
TITLE 02  
CHAPTER 04**

**39.02.04 - RULES GOVERNING MANUFACTURER AND NEW VEHICLE DEALER HEARING FEES**

**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)**

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