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**IDAPA 39
TITLE 02
CHAPTER 24**

39.02.24 – RULES GOVERNING “GRAY MARKET” VEHICLE REGISTRATION AND TITLING

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Section 49-507, Idaho Code. (12-26-90)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 39.02.24 “Rules Governing ‘Gray Market’ Vehicle Registration and Titling.” (3-30-07)

02. Scope. This rule governs the processing and issuance of registration and titling of imported motor vehicles manufactured for sale in a country other than the United States, commonly referred to as “gray market” vehicles. This rule identifies the ownership, safety, and environmental protection requirements which must be met before Idaho registration and titling. (3-30-07)

002. WRITTEN INTERPRETATIONS.

This agency does not rely on written interpretations for these rules. (3-30-07)

003. ADMINISTRATIVE APPEALS.

All contested cases shall be governed by the provisions of IDAPA 04.11.01. “Idaho Rules of Administrative Procedure of the Attorney General.” (3-30-07)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (3-30-07)

005. OFFICE – OFFICE HOURS – MAILING AND STREET ADDRESS – PHONE NUMBERS.

01. Street and Mailing Address. The Idaho Transportation Department maintains a central office in Boise at 3311 W. State Street with a mailing address of P O Box 7129, Boise ID 83707-1129. (3-30-07)

02. Office Hours. Daily office hours are 8:00 a.m. to 5:00 p.m. except Saturday, Sunday and state holidays. (3-30-07)

03. Telephone and FAX Numbers. The central office may be contacted during office hours by phone at 208-334-8663 or by fax at 208-334-8658. (3-30-07)

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with this chapter are subject to and in compliance with the Idaho Public Records Act, as set forth in Title 74, Chapter 1, Idaho Code. (3-30-07)

007. -- 099. (RESERVED)

100. TITLING AND REGISTRATION REQUIREMENTS.

01. Required Documents. When the owner of a gray market vehicle applies for title and registration, the following documents must be presented. (12-26-90)

a. Statement indemnifying the Department. (12-26-90)

b. Statement of Facts from a motor vehicle investigator, unless waived by the department based on facts presented by the owner. (3-30-07)

c. All documents relating to ownership including but not limited to; manufacturer’s certificate of origin, manufacturer’s statement of origin, foreign title, or registration (if the vehicle is not from a titling country),

and bills of sale. A complete chain of ownership must be presented from the manufacturer (for new vehicles) or from the last titled owner, or registered owner (if the vehicle is not from a titling country) to all subsequent owners of the vehicle both in the foreign market and the United States. (3-30-07)

d. U.S. Department of Transportation release letter. (12-26-90)

e. Environmental Protection Agency (EPA) release letter or Independent Commercial Importer (ICI) release letter or Designated Canadian Importer (DCI) release letter or EPA letter of waiver. (12-26-90)

02. Substituted Documents. The U.S. Customs Bond Release Letter may be substituted for all requirements in Subsections 100.01.d. through 100.01.e. (3-30-07)

03. Designation of Year Model. The year model for titling and registering gray market vehicles will be determined in an order of priority, based on the following criteria: (12-26-90)

a. The year model used by a specific manufacturer to designate a discrete vehicle model irrespective of the calendar year in which the vehicle was actually produced; (12-26-90)

b. An ownership document issued by that vehicle's country of origin; (12-26-90)

c. Any vehicle manufactured during a twelve (12) month period beginning September 1, and ending August 31, shall bear the production year of the calendar year in which August 31 occurs; or (12-26-90)

d. The year model by certification of the importer of record. The certification can be verified against vehicle production dates, based upon substantially similar models of the same make of vehicle. (12-26-90)

04. Foreign Documents. When foreign manufacturer's certificate of origin, manufacturer's statement of origin, or registration and/or titling documents are presented, a translation of the foreign documents may be required to clarify the information contained in the documents. If required, such translation will be at the owner's expense and certified by the translator as true and correct. (3-30-07)

05. Registration Only. Until gray market vehicles meet Idaho registration and titling requirements, the county assessor shall issue a registration under the "Registration Only" program to allow time for the federal government to act upon the required releases or for the owner to obtain legal ownership documentation. (3-30-07)

101. -- 999. (RESERVED)

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