Who does this rule apply to?
This rule applies to Manufacturers and New Vehicle Dealers and clarifies the process of hearings conducted by the Department for settling disputes.

- Manufacturers; and
- New vehicle and vessel dealers.

What is the purpose of this rule?
This rule clarifies the collection of filing fees for hearings conducted by the Department for settling disputes between manufacturers and new vehicle dealers. It allows the Department to collect a $2,000 filing fee, which shall apply toward the administrative costs associated with the hearing. This includes costs for a hearing officer (which is appointed by the Director), Department legal expenses, Department investigative expenses pertaining to the dispute, a court recorder and any transcript or witness fees. If total costs are less than the filing fee, the remainder is refunded. If it is more, then the remainder is billed to the responsible party after the decision is rendered.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Motor Vehicles -
General:
49-201, Idaho Code – Duties of Board
Dealers and Salesman Licensing:
- 49-1617, Idaho Code – Protests- Hearings – Costs

Who do I contact for more information on this rule?
Idaho Transportation Department
Monday – Friday 8:00 am to 5:00 pm
P.O. Box 7129
Boise, ID 83707-1129
3311 West State Street
Phone: (208) 334-8000
itd.idaho.gov
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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. (3-21-22)

001. 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. (3-21-22)

002. -- 099. (RESERVED)

100. GENERAL PROVISIONS.

01. Hearing Officer Appointment. The Director will appoint a hearing officer to hear the dispute who is not a current employee of either a manufacturer or dealer. (3-21-22)

02. 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 verifiable hearing costs. (3-21-22)

03. Hearing Fee Refunds and Additional Charges. If the total verifiable costs of the hearing are less than two-thousand dollars ($2,000), the Department will refund the balance. If the costs exceed the two-thousand dollars ($2,000) filing fee, the Department will be bill the responsible party for the remainder which is payable after the Department renders a decision. (3-21-22)

101. -- 999. (RESERVED)