

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

Division of Motor Vehicles

39.02.27 – Rules Governing Titling and Registration of Non-Resident Commercial Vehicle and Transient Farm Labor Vehicles

Who does this rule apply to?

All commercial vehicles being operated by non-residents and all farm labor vehicles of state farmers.

- Non-Resident Commercial Motor Vehicle Owners

What is the purpose of this rule?

Rule establishes the procedures for registering and titling out-of-state owner-operators. Allows for non-residents to get temporary registrations and to operate inside the state. Rule provides for the understanding of reciprocity with surrounding states whom Idaho has agreements with and the equal treatment of those out-of-state residents operating in Idaho.

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 -

Motor Vehicle Registration:

- [49-432, Idaho Code](#) – Temporary Registration for Residents and Nonresidents – Fees
- [49-435, Idaho Code](#) – Proportional Registration of Commercial Vehicles

Vehicle Titles:

- [49-501, Idaho Code](#) – Titling Requirements – Exemptions

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

Table of Contents

39.02.27 – Rules Governing Titling and Registration of Non-Resident Commercial Vehicles and Transient Farm Labor Vehicles

000. Legal Authority.	3
001. Title And Scope.	3
002. -- 009. (Reserved).....	3
010. Definitions.	3
011. -- 099. (Reserved)	3
100. General Procedure.	3
101. -- 199. (Reserved).....	3
200. Non-Resident Registrations.	3
201. -- 299. (Reserved).....	4
300. Reciprocity.	4
301. -- 999. (Reserved).....	4

**39.02.27 – RULES GOVERNING TITLING AND REGISTRATION OF NON-RESIDENT
COMMERCIAL VEHICLES AND TRANSIENT FARM LABOR VEHICLES**

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Sections 49-201, 49-441 and 49-501, Idaho Code. (12-26-90)

001. TITLE AND SCOPE.

This rule establishes the procedures for the titling and registering of non-resident commercial vehicles and transient farm labor vehicles. (12-26-90)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Established Place of Business. Means a physical structure owned, leased or rented by the registrant, designated by street number or road location, open during business hours, contains a telephone publicly listed in the name of the registrant and is the location where the operational records of the registrant can be made available. (12-26-90)

02. Idaho Trucking Company. Means any entity located within Idaho which meets the requirement of “established place of business.” (12-26-90)

03. Lessee. Means a person, firm or corporation which has legal possession and control of a vehicle and/or motor vehicle under the terms of a written lease agreement. (12-26-90)

04. Lessor. Means an owner of a vehicle who, pursuant to the terms of a lease agreement, grants the legal right of possession, control and responsibility for the operations of the vehicle and/or motor vehicle to another person or entity. (12-26-90)

05. Non-Resident Owner-Operator. Means an owner-operator of a vehicle and/or motor vehicle who is not a resident of Idaho, but is leasing transportation equipment, titled in another state, to an Idaho trucking company. (12-26-90)

06. Transient Farm Labor Vehicles. Means a vehicle, or combination of vehicles, owned by a transient farm laborer, used in hauling unprocessed agricultural products for hire, and not exceeding sixty thousand (60,000) pounds maximum gross weight. (12-26-90)

011. -- 099. (RESERVED)

100. GENERAL PROCEDURE.

01. Out-of-State Title Required. A non-resident owner-operator leasing equipment to an Idaho trucking company must submit a copy of the out-of-state title with a registration application to complete registration requirements. (12-26-90)

02. Temporary Clearance. If the copy is not immediately available, temporary vehicle clearance or temporary registration may be issued. (12-26-90)

03. Idaho Title Required. Non-resident owner-operators who lease to Idaho trucking companies and intend to obtain an Idaho registration in the name of the owner-operator must obtain an Idaho title for the equipment to be registered in Idaho. The non-resident owner-operator must meet the requirements of “established place of business.” (12-26-90)

04. Documentation Provided. Once the copy of the out-of-state title has been provided to the Motor Vehicle Bureau the lessee shall not be required to provide further copies if the lease arrangement and vehicle(s) remain unchanged. (12-26-90)

05. Registration Only. If no Idaho title is issued, the registration document shall indicate “Reg. Only” in the title space. (12-26-90)

101. -- 199. (RESERVED)

200. NON-RESIDENT REGISTRATIONS.

01. No Reciprocity Agreement. Non-resident companies operating on an intrastate basis in Idaho when no specific agreement exists between Idaho and the state where the non-resident vehicle(s) are registered must register in Idaho. Idaho titling will not be required. (12-26-90)

02. Prorate Privilege. Non-resident companies operating in Idaho on an intrastate basis, having prorate privileges through a reciprocal agreement between Idaho and the state of registration must either prorate in Idaho, or purchase an Idaho registration or trip permit. (12-26-90)

03. Registration Required. Vehicles used on an intrastate basis in Idaho by an out-of-state company and are housed or garaged in Idaho, and do not return to the state where registered each day, must register in Idaho. (12-26-90)

04. Proof of Ownership Required. Applicants registering transient farm labor vehicles must provide proof of ownership by one of the following means: (12-26-90)

- a. Certificate of title in the name of the applicant; (12-26-90)
- b. Valid registration certificate from another state in the name of the applicant; or (12-26-90)
- c. Certified copy of the title in the name of the applicant. (12-26-90)

05. Employee Owned Vehicles. Employees of companies who are working in Idaho on a contract or project must purchase Idaho registration for their privately owned vehicles if they establish a place of residence in Idaho. Non-resident employees who return to their state of residence on a daily basis are not required to purchase Idaho registration for their privately owned vehicles. If the assignment is for the duration of the project or contract only, no Idaho titling is required. (12-26-90)

201. -- 299. (RESERVED)

300. RECIPROCITY.

01. Equal Registration Reciprocity. Idaho shall deal fairly and equally in all reciprocity agreements, the International Registration Plan (IRP) and the Uniform Prorate Agreement. (12-26-90)

02. Equal Treatment. Idaho shall treat out-of-state residents on the same basis as Idaho residents are being treated by the other state. (12-26-90)

301. -- 999. (RESERVED)

Subject Index

D

- Definitions, IDAPA 39.02.27 3
 - Established Place of Business 3
 - Idaho Trucking Company 3
 - Lessee 3
 - Lessor 3
 - Non-Resident Owner-Operator 3
 - Transient Farm Labor Vehicles 3

G

- General Procedure 3
 - Documentation Provided 3
 - Idaho Title Required 3
 - Out of State Title Required 3
 - Registration Only 3
 - Temporary Clearance 3

L

- Legal Authority 3

N

- Non-Resident Registrations 3
 - Employee Owned Vehicles 4
 - No Reciprocity Agreement 4
 - Proof of Ownership Required 4
 - Prorate Privilege 4
 - Registration Required 4

R

- Reciprocity 4
 - Equal Registration Reciprocity 4
 - Equal Treatment 4

T

- Title & Scope 3