

## IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

### Division of Motor Vehicles

#### 39.02.41 – Rules Governing Special Provisions Applicable to Fees for Services

##### **Who does this rule apply to?**

*All statutorily approved bulk record requests of Division of Motor Vehicle records.*

- Bulk Record Requesters;
- State Agencies;
- County Assessors and County Sheriffs;
- Peace Officers; and
- Jury Lists

##### **What is the purpose of this rule?**

*Rule provides for fees to be set for providing bulk records to statutorily authorized requesters and provides for specific types of entities that receive records free of charge as part of their responsibilities. Rule states that the Department provide full access to motor vehicle records by Law Enforcement at no charge through the Idaho Law Enforcement Telecommunication Systems. Establishes that Idaho Code provides for the use of motor vehicle records for jury lists, and that the Department does not charge the counties for this use.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statute passed by the Idaho Legislature:*

Motor Vehicles -

- [49-201, Idaho Code](#) – General: Duties of Board

##### **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](http://itd.idaho.gov)

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**39.02.41 – RULES GOVERNING SPECIAL PROVISIONS APPLICABLE TO FEES FOR SERVICES**

**000. LEGAL AUTHORITY.**

This rule is adopted under the authority of Sections 49-201, Idaho Code. (3-20-20)T

**001. TITLE AND SCOPE.**

This rule is titled IDAPA 39.02.41, “Rules Governing Special Provisions Applicable to Fees for Services,” and identifies special provisions applicable to fees for services not specifically outlined in Title 49, Idaho Code. (3-20-20)T

**002. -- 099. (RESERVED)**

**100. ADMINISTRATION.**

Idaho Code provides for the collection of fees for related services. This rule provides for automation considerations and a fee schedule to uniformly apply the fee provided by Section 49-202(2)(h), Idaho Code. The following fees apply for services and copies of files regarding motor vehicle or other registrations, motor vehicle titles, driver’s licenses or commercial driver’s licenses, and are based on the per hour charge specified in Section 49-202(2)(h), Idaho Code. (3-20-20)T

**01. Paper or Imaged Records.** Copies of supporting driver’s license, registration, or title records from paper or imaged records, based on an average of twenty-four (24) minutes to fully process these requests at the per-hour rate specified in Section 49-202(2)(h), Idaho Code, and rounded to the nearest whole dollar. (3-20-20)T

**02. Automated Records.** Idaho Code does not provide a fee for complete county or statewide automated copies of registration or title files. A fee has been based on the costs to produce special file requests. (3-20-20)T

**a.** A base charge for programs requiring: One (1) to three (3) sorts, seventy-five dollars (\$75). Each additional sort, twenty-five (\$25). (3-20-20)T

**b.** In addition to the above, the computer cost, printer cost and tape access cost, as established by the information technology section will be charged. (3-20-20)T

**c.** Any mailing, shipping or special handling costs will also be added to the charges. (3-20-20)T

**03. Electronic Media Must Be Provided.** Requestors must provide electronic media for this purpose, unless the file can be transmitted electronically. Data is provided in a standard department format. Vehicle or driver history information is not included. The only selection criterion is by counties. (3-20-20)T

**04. Records Provided Free of Charge.** Motor vehicle and driver records will be provided free of charge to the following: (3-20-20)T

**a.** State Agencies. (3-20-20)T

**b.** County Assessors. (3-20-20)T

**c.** County Sheriffs. (3-20-20)T

**d.** Peace Officers requesting records in the performance of their duties as per Section 49-202(3), Idaho Code. (3-20-20)T

**05. Rules for Providing Records Free of Charge.** The Division of Motor Vehicles will observe the following guidelines when providing records free of charge: (3-20-20)T

**a.** Records will be provided free of charge only if they are a standard computer run that does not require special programming and/or sorting. Records requiring special handling will be provided for a fee equal to the cost of the additional handling. (3-20-20)T

**b.** Records will be provided free of charge electronically or on electronic media supplied by the requestor, or as a standard computer printout. All other formats will be provided for a fee equal to the cost of the additional materials. (3-20-20)T

**c.** The Assessor’s Clearinghouse and the Sheriff’s Clearinghouse shall each establish a single

standardized computer printout that will be used for all motor vehicle and driver requests from their respective agencies. (3-20-20)T

**d.** Records access agreements between the Division of Motor Vehicles and government agencies requesting motor vehicle and driver records shall be negotiated and renewed annually, and shall contain a list of all personnel who will have access to the records and/or on-line terminals. (3-20-20)T

**e.** On-line computer installation and equipment shall be charged at a rate defined in the annual agreement. (3-20-20)T

**101. -- 199. (RESERVED)**

**200. LAW ENFORCEMENT INQUIRIES.**

The Department provides full access to motor vehicle files by Law Enforcement at no charge through the Idaho Law Enforcement Telecommunication Systems (ILETS). There is also no charge to Law Enforcement for certified motor vehicle or driver record packets to peace officers. For additional services beyond access to motor vehicle records (special reports, etc...), actual costs incurred by the Department will be charged. (3-20-20)T

**201. JURY LISTS.**

Idaho Code provides for the use of motor vehicle records for jury lists. The Department does not charge the counties for this use. (3-20-20)T

**202. SPECIAL AGREEMENTS.**

**01. Agreements for Services.** The Department may enter into agreements for services and copies of motor vehicle files to requestors with special highway safety and statistical reporting requirements. Initial costs incurred by the Department shall be reimbursed by the requestor. Ongoing charges or fees will be based on the agreement. (3-20-20)T

**02. Right to Receive Information Subject to Idaho Code.** This rule is not intended to imply that a requestor has the right to receive information. The fees, as stipulated in this rule, apply when the requestor is eligible to receive the information, subject to Idaho Code. (3-20-20)T

**203. MISCELLANEOUS.**

The fee for vehicle inquiries by name will be based on the proper fee per vehicle record. Commercial vehicle inquiries shall be based on a per vehicle record fee. (3-20-20)T

**204. -- 999. (RESERVED)**

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