

IDAPA 39  
TITLE 02  
CHAPTER 76

**39.02.76 – RULES GOVERNING DRIVER'S LICENSE AND IDENTIFICATION CARD  
RENEWAL-BY-MAIL AND ELECTRONIC RENEWAL AND REPLACEMENT PROCESSES**

**000. LEGAL AUTHORITY.**

In accordance with Sections 49-201, 49-318, 49-319(10); and 49-2444, Idaho Code, the Idaho Transportation Board adopts the following rule to establish a process that may allow Idaho residents to renew or replace their Class-D drivers' licenses and identification cards by mail or electronically.

(3-29-12)

**001. TITLE AND SCOPE.**

**01. Title.** This rule shall be cited as IDAPA 39.02.76, "Rules Governing Driver's License and Identification Card Renewal-by-Mail and Electronic Renewal and Replacement Processes".

(3-29-12)

**02. Scope.** The purpose of this rule is to establish standards by which Class-D drivers' licenses and identification cards may be renewed or replaced by mail or electronically for those individuals who are licensed Idaho residents and whose licenses Idaho credentials are about to expire or requires replacement due to loss or mutilation. The driver's license renewal-by-mail and electronic systems are designed to reduce the length of driver's license renewal waiting lines at county driver's license offices.

(3-29-12)

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations for this chapter. ~~This rule merely implements the provisions of Section 49-319(10), Idaho Code, which states: "The department may use a mail renewal process for Class D licenses based on criteria established by rule and regulation."~~

(3-29-12)

**003. ADMINISTRATIVE APPEALS.**

Administrative appeals under this chapter shall be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General."

(3-29-12)

**004. INCORPORATION BY REFERENCE.**

There are no documents incorporated by reference in this chapter.

(3-29-12)

**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 PO Box 7129, Boise ID 83707-1129.

(3-29-12)

**02. Office Hours.** Daily office hours are 8:00 a.m. to 5:00 p.m. except Saturday, Sunday and state holidays.

(3-29-12)

**03. Telephone and FAX Numbers.** The central office may be contacted during office hours by phone at 208-334-8000 or by fax at 208-334-3858.

(3-29-12)

**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.

(3-29-12)

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

- 01. CDL.** Commercial Driver’s License. (7-1-96)
- 02. Class D Driver's License.** A license issued and valid for the operation of a motor vehicle that is not a commercial vehicle as defined in Section 49-123, Idaho Code. (7-1-96)
- 03. Credential.** Any physical driver license or identification card issued by the department. ( )
- 04. Expiration Date.** The date a ~~driver’s license~~ credential expires. (7-1-96)
- 05. Identification Card.** A card issued in accordance with section 49-2444, Idaho Code. ( )
- 046. Photo License.** A valid Idaho ~~driver’s license~~ credential displaying a color photograph of the license holder. (7-1-96)

**011. ELIGIBILITY FOR RENEWAL AND REPLACEMENT.**

- 01. Eligibility.** ~~The renewal by mail or electronic renewal may~~ An applicant may renew a Class D driver’s license or identification card by mail or electronically ~~be granted on the expiration date of a person’s Idaho Class D driver’s license~~ in lieu of ~~requiring the person to renew~~ ing or replacing a driver’s license these credentials in person. Licenses or identification cards renewed by mail or electronically shall only be renewed once in an eight (8) year period, and shall have a four-year validity period. (3-29-12)
- 02. License Renewal.** Drivers’ licenses ~~shall~~ may not be renewed by mail or electronically for persons who:
  - a.** Hold a driver’s license with a “J” restriction (e.g. limited to a five (5) mile driving radius of residence, driving privileges limited to one (1) or two (2) counties, cannot drive without parent for a specified time period, etc.); (7-1-96)
  - b. Hold a CDL.** ( )
  - b c.** Have changes in the information shown on their licenses, other than address changes; (7-1-96)
  - e d.** Have any changes in physical, mental, and/or emotional condition, including vision, which may impair the ability to safely operate a motor vehicle; (7-1-96)
  - d e.** Have drivers’ licenses or driving privileges which are suspended, revoked, canceled, denied, refused, or disqualified; (7-1-96)
  - e f.** Are operating on department or court restricted driving permits; (7-1-96)
  - f g.** Are required to provide documentation proving lawful presence in the United States; (3-29-12)
  - g h.** Are not lawfully present in the United States; (3-29-12)
  - h i.** Have a driving record which has been marked for special handling (e.g., verification of identity or date of birth, possible fraud, etc.); (7-1-96)
  - I j.** Already have an existing extension; (7-1-96)
  - J k.** Wish to add a motorcycle endorsement; (7-1-96)
  - k l.** Are under twenty-one (21) years of age for purposes of renewal; or (7-1-96)

**l m.** Are seventy (70) years of age or older for purposes of renewal. (7-1-96)

**n.** Have been expired more than one (1) year. ( )

**03. Identification Card Renewal.** Identification cards may not be renewed by mail or electronically for persons who: ( )

**a.** Have changes in the information shown on their identification cards, other than address changes;( )

**b.** Have not been expired more than one (1) year. ( )

**c.** Are required to provide documentation proving lawful presence in the United States; ( )

**d.** Are not lawfully present in the United States; ( )

**e.** Have a canceled or surrendered status. ( )

**04 License and Identification Card Replacement.** Any driver's license, including a CDL, or identification card may be replaced by mail or electronically as long as the credential is not expired, and there are no information changes other than address changes and the status is otherwise valid. ( )

**012. RENEWAL OR REPLACEMENT ELECTRONICALLY OR BY MAIL PROCEDURES.**

**01. Use of Fax or Phone Prohibited Application Submission.** Driver's license Credential renewal-by-mail or electronic renewal or replacement applications ~~shall not be processed by fax or telephone~~ will be processed when received by mail or electronically. Eligible persons must may mail or electronically submit their driver's license renewal or replacement application to the department or the driver's license office in their county of residence, or deliver their application in person together with the renewal fee for the same class of license credential, pursuant to Sections 49-306, and 49-2444, Idaho Code. (3-29-12)

**02. Updating Driving Individual Records.** The county driver's license office or the department ~~shall~~ will update driving individual records to reflect the new expiration year, if renewed, and the issue date of the new credential, ~~followed by the notation "RM," and issue a driver's license to eligible licensees~~ within three (3) business days after receipt of the completed application form. (3-29-12)

**03. ~~If The Driver's License Card Is Lost, Mutilated or Destroyed After Receipt.~~** ~~If a driver's license is lost, mutilated, or destroyed after the applicant receives it, the applicant must apply in person at the county office for a duplicate driver's license.~~ (3-29-12)

**04. If Lost or Destroyed in Mail.** If a an individual's drivers' license credential is lost or destroyed in the mail, a written statement detailing the loss or destruction must may be mailed or hand-delivered to the applicant's county of residence or completed electronically. Upon receipt of the letter, the county or the department can issue a no-charge replacement driver's license credential to the applicant. (3-29-12)

**054. Temporarily Residing Out-of-State.** Individuals temporarily residing out-of-state may apply for a renewal by mail, electronic renewal, or an extension, but not both, in an eight (8) year period. (3-29-12)

**013. -- 999. (RESERVED)**