

DRAFT #1

IDAPA 39
TITLE 02
CHAPTER 42

**39.02.42 – ~~TEMPORARY~~ CONDITIONAL VEHICLE REGISTRATION WHEN
PROOF OF OWNERSHIP IS INSUFFICIENT**

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Sections 49-501, 49-507 and 49-523, Idaho Code. (12-26-90)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited as IDAPA 39.02.42, Rules Governing Conditional Vehicle Registration When Proof of Ownership is Insufficient.

02. Scope. ~~This rule provides for temporary~~ The purpose of this rule establishes conditional vehicle registration when the applicant does not have sufficient proof of ownership. This rule provides operating privileges for a specific time period and does not apply to Idaho licensed dealers, non-residents of Idaho; or owners and/or operators of non-Idaho based commercial vehicles operated in interstate commerce under the various proportional registration plans or agreements with other states of which Idaho is a participant. (12-26-90)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. ()

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." ()

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. ()

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. ()

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

03. Telephone and FAX numbers. The central office may be contacted during office hours by phone at 208-334-8000 or by fax at 208-334-8542. ()

006. PUBLIC RECORDS ACT COMPLIANCE.

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

007-- 099. (RESERVED)

100. GENERAL PROVISIONS FOR INSUFFICIENT PROOF OF OWNERSHIP INCLUDES.

- 01. Vehicle Record.** The vehicle for which record of ownership is unavailable; (12-26-90)
- 02. Title.** The applicant does not have the title from the previous owner; (12-26-90)
- 03. Release of Interest.** The previous owner of record has not released interest in the title; (12-26-90)
- 04. Bill of Sale.** The possessor has the unreleased title but does not have a bill of sale to support transfer of ownership; (12-26-90)
- 05. Vehicle Identification Number.** The title vehicle identification number (VIN) and the VIN on the vehicle do not match (except for obvious typographical errors); or (12-26-90)
- 06. Documentation for Component Part.** Component parts of a homemade, reconstructed or specially constructed vehicle cannot be documented. (12-26-90)

101. -- 199. (RESERVED)

200. PROCEDURE.

- 01. Conditional Registration.** "Registration Only" (conditional registration until titling requirements are met) may be processed for a one (1) year period without benefit of title. "Registration Only" will not be issued on vehicles with altered VINs, vehicles confirmed as stolen or vehicles where there is a recorded and unpaid lien.
- ~~**02. Altered VINs.** "Registration Only" shall not be issued on vehicles with altered VINs, vehicles confirmed as stolen or vehicles where there is a recorded and unpaid lien. (12-26-90)~~
- ~~**032. Conditional Registration Procedure.** "Registration Only" procedure is as follows: (12-26-90)
 - a.** VIN Inspection: The vehicle must be inspected by an agent of the county assessor's office or a city, county or state peace officer. The inspecting officer will verify the identification number and provide the applicant with a signed inspection form containing the vehicle description, other pertinent information and recommendations. If the VIN has been altered or is missing, the officer may ask for the assistance of a motor vehicle investigator before issuing the VIN inspection. (12-26-90)
 - b.** Indemnifying Affidavit. The "Registration Only" applicant must will complete an indemnifying affidavit explaining how and where the vehicle came into his/her the applicant's possession, and why proper documentation is not available. The indemnifying affidavit must be signed in the presence of the county assessor or deputy assessor, and must fully indemnify and save harmless the department. (12-26-90)
 - c.** Registration of the Vehicle: The vehicle can may be registered for one (1) year. The title block of the registration document will show "Registration Only" in bold letters. The applicant must obtain adequate proof of ownership prior to the end of the tenth (10th) month expiration of the registration period to allow adequate time for title processing. The one (1) year "Registration Only" period shall will not be extended. (12-26-90)
 - d.** The county shall will hold the VIN inspection and the indemnifying affidavit in file until the applicant complies with requirements in Subsection 200.04. (12-26-90)~~
- 043. Applicant Responsibility.** By the end of the tenth (10th) month expiration of the "Registration Only" period, the applicant must present a properly executed title and bill of sale for the vehicle or apply for a bonded

or conditional title.

(~~12-26-90~~)

054. Action by the County Assessor. When the applicant has complied with Subsection 200.043, the county assessor ~~shall remove~~ will pull the VIN inspection and indemnifying affidavit from their file; prepare an Application for Title; and submit the application form with the title, bill of sale, indemnifying affidavit and VIN inspection for title processing. (~~12-26-90~~)

065. Proof of Ownership. If the applicant cannot prove ownership within the one (1) year “Registration Only” period, no further registration (permanent or temporary) will be issued until after the title requirement is met. (~~12-26-90~~)

07. Abandoned Vehicles. ~~“Abandoned Vehicles” as provided for in Chapter 18, Title 49, Idaho Code, must be processed in accordance with abandoned vehicle statutes and are not affected by this rule.~~ (~~12-26-90~~)

201. -- 999. (RESERVED)

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