

39.02.04 – RULES GOVERNING MANUFACTURER AND NEW VEHICLE DEALER HEARING FEES

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. (7-1-21)T

~~001. TITLE AND SCOPE PURPOSE.~~

~~This rule is titled IDAPA 39.02.04, “Rules Governing Manufacturer and New Vehicle Dealer Hearing Fees,” and clarifies the process of collecting filing fees for hearings conducted by the Department for settling disputes between manufacturers and new vehicle dealers. (7-1-21)T~~

002. -- 099. (RESERVED)

100. GENERAL PROVISIONS.

01. **Hearing Officer Appointment.** The Director will appoint a hearing officer in Ada County to hear the dispute, who is not a current employee of either a manufacturer or dealer. (7-1-21)T

~~02. **Location of Hearings.** All hearings will be held in Ada County, Boise, Idaho. (7-1-21)T~~

03. **Hearing Filing Fee.** The dealer requesting a hearing ~~shall will~~ deposit a filing fee of two-thousand dollars (\$2,000) with the Department. The Department ~~shall will~~ apply the filing fee toward the verifiable hearing costs, ~~which shall~~ include: ( )

- ~~a. The hearing officer fee and expenses; ( )~~
- ~~b. Department legal expenses; ( )~~
- ~~c. Department investigative expenses pertaining to the dispute; ( )~~
- ~~d. A court recorder, hearing transcript, any witness fees; and ( )~~
- ~~e. Other Department verifiable expenses. ( )~~

03. **Hearing Fee Refunds and Additional Charges.** If the total verifiable costs of the hearing are less than ~~two thousand dollars (\$2,000)~~ the filing fee, the Department ~~shall will~~ refund the balance. Any If the costs exceeding the ~~two thousand dollars (\$2,000)~~ filing fee, ~~the Department shall will be~~ billed to the responsible party for the remainder which is payable after the Department renders a decision. (7-1-21)T

101. -- 999. (RESERVED)