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IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 7129 • Boise, ID 83707-1129

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**Idaho Transportation Board
Subcommittee on Policies**

August 29, 2024

10:00 AM

Idaho Chinden Campus

**11331 W. Chinden Blvd., Building 8, Boise
American Falls Conference Room, 1st Floor**

To call in: 1-208-473-7075

Conference ID: 979 599 048#

	<u>Page</u>	<u>Time*</u>
<u>ACTION ITEMS</u>		
1. Call Meeting to Order – Chairman Gary Osborn		10:00
• Formal approval of March 19, 2024 meeting minutes	2	
2. Policies 4040 and 5040 Dealer Advisory Board DMV Administrator Lisa McClellan	4	10:05
3. Policies 4042 and 5042 Trucking Advisory Council DMV Administrator Lisa McClellan	11	10:15
4. Policy 5068 DMV/County Automated Systems DMV Administrator Lisa McClellan	18	10:25
5. Adjourn (estimated time)		10:45

*Listed times are estimates only and in local time.

Idaho Transportation Board Subcommittee on Policies
March 19, 2024, Chinden Campus, Canyon Creek conference room

Idaho Transportation Board Subcommittee on Policies Chairman Gary Osborn called the meeting to order at 3:01 PM on March 19, 2024. Subcommittee members present were District 1 Chairman Gary Osborn, District 3 Member Julie DeLorenzo and District 6 Member Bob Hoff.

Board members District 1 Jim Thompson and District 4 Mitch Watkins attended. Key principal Subcommittee staff members Chief Deputy Dan McElhinney, Chief External Affairs Officer (CEAO) Mollie McCarty, Aeronautics Administrator (AA) Tom Mahoney, advisor Deputy Attorney General (DAG) Tiffany Hales, and Business Executive to the Board Lorraine Dennis were present. LHTAC Deputy Administrator Ken Kanownik participated remotely.

Minutes. Member DeLorenzo made a motion to approve the minutes of the September 27, 2023, meeting as submitted. Member Hoff seconded the motion and it passed.

Opening remarks. Chairman Osborn invited Member Hoff to comment on the two proposed policy revisions who expressed concerns about how the language in Board Policy 4035 Aeronautics Advisory Board (AAB) maybe be interpreted as more corrective in nature instead of administrative. Suggested changes were discussed in detail during review of the two policies.

Department policy review effort/Board Policy 4035, Aeronautics Advisory Board (AAB). CEOA McCarty stated the department has seven active advisory boards. This particular policy review will be the foundation as other out-of-date advisory board policies are reviewed. There has been an ongoing effort to improve relationships and communications among these boards and the department. Updating the policies is to address inconsistencies and include guidance on expectations on how they interact with the department.

CEAO McCarty addressed Member Hoff's concerns regarding the specific language used to describe expectation of advisory board members when expressing opinions individually and when on behalf of their board regarding potential legislative issues. She explained the intent is to have good understanding and coordination on how we interact with the Governor's Office and that everyone is unified. She offered revised language of which the subcommittee members discussed and accepted.

Members discussed the proposed language used regarding AAB membership criteria that referred to character. CEOA McCarty stated the language was taken verbatim from the statute that created the AAB. DAG Hale affirmed the specific language does comes from Idaho Code, and when applicable, is a good option to reference to help align department policies with statute. After deliberation, it was decided to remove the character reference language.

The members also discussed the proposed language on who should schedule meetings and frequency. It was decided to revise the language to give that directive to the aeronautics division administrator, and the AAB will meet regularly and as necessary.

CEAO McCarty stated staff will share the subcommittee's policy revisions with the AAB as well.

Member Hoff made a motion, seconded by Member DeLorenzo, to concur with staff's policy revisions as discussed and refer it to the full Transportation Board for approval.

Administrative Policy 5035, Aeronautic Advisory Board (AAB). Aeronautics Administrator Mahoney reviewed the proposed policy changes highlighting the AAB's advisory functions on aeronautics matters, funding priorities for the state Airport Aid Program, and on proposed rules and legislation concerning aeronautics. He provided feedback received from the AAB when they discussed the proposed changes at their January meeting. The AAB did state a preference to retain an advisory role on funding priorities for the Airport Aid Program.

Members discussed and decided to remove the same language referenced in this policy that pertained to membership criteria referring to character.

Member DeLorenzo made a motion, seconded by Member Hoff, to concur with staff's policy revisions as discussed and refer it to the full Transportation Board for approval.

The meeting adjourned at 4:01 P.M.

Respectfully submitted by:

LORRAINE DENNIS

Business Executive, Idaho Transportation Board



BOARD POLICY 4040
Page 1 of 1

DEALER ADVISORY BOARD ACTIVITIES

Purpose

The purpose of this policy is to document that the Department can ask the assistance of the Dealer Advisory Board regarding vehicle dealer and salesmen administrative procedures.

Legal Authority

Idaho Code 49-1602(7) – Department shall provide regular meetings of the Dealer Advisory Board.

Idaho Code 49-1602(9) – Department shall consider recommendations of the advisory board concerning the licensing of motor vehicle dealers and salespersons.

Idaho Code 49-1602(10) – Department shall require the attendance of 1 to 3 members of the advisory board at hearings conducted under the dealers and salesmen licensing provisions.

Idaho Code 49-1603 – Establishment of Dealer Advisory Board – number of members, terms, compensation and meeting dates.

Idaho Code 49-1608C – Establishes creation of the Idaho Consumer Asset Recovery (ICAR) fund and authorization and guidelines for setting fees.

Idaho Code 49-1610 – Establishes a right of action for persons who are defrauded by a dealer or one of the dealer's salespersons.

Idaho Code 49-1618 – Denial or revocation of a license requires a hearing.

Idaho Code authorizes the Idaho Transportation Department to request the advice and assistance of the Dealer Advisory Board in the administration of all vehicle dealer and salesmen regulations, vehicle titling policies, and other such procedures that may affect the orderly operation of all vehicle dealerships regulated by the Department.

The Department Director or a designee is authorized to determine which items must be reviewed by the Dealer Advisory Board and shall schedule regular meetings accordingly.

Approved by the Board on:

Signed
Jerry Whitehead
Board Chairman

Date: October 24, 2013



DEALER ADVISORY BOARD ACTIVITIES

Purpose

The Idaho Transportation Department values the expertise and guidance of advisory boards and councils.

The purpose of the Dealer Advisory Board ~~this policy~~ is to ~~document that~~ provide the Idaho Transportation Department with current industry knowledge, analysis, and insights to consider in the department's decision-making processes. ~~can ask the assistance of the Dealer Advisory Board regarding vehicle dealer and salesmen administrative procedures.~~

Legal Authority

Idaho Code 49-1602(7) – Department shall provide regular meetings of the Dealer Advisory Board.

Idaho Code 49-1602(9) – Department shall seek and consider the board's recommendations and comments regarding proposed rules promulgated for the administration of the provisions of this chapter ~~of the advisory board concerning the licensing of motor vehicle dealers and salespersons.~~

Idaho Code 49-1602(10) – Department shall require the attendance of 1 to 3 members of the advisory board at hearings conducted under the dealers and salesmen licensing provisions.

Idaho Code 49-1603 – Establishment of Dealer Advisory Board – number of members, terms, compensation and meeting dates.

Idaho Code 49-1608~~BE~~ – Establishes creation of the Idaho Consumer Asset Recovery (ICAR) fund and authorization and guidelines for setting fees.

Idaho Code 49-1610 – Establishes a right of action for persons who are defrauded by a dealer or one of the dealer's salespersons.

Idaho Code 49-1618 – Denial or revocation of a license requires a hearing.

~~Idaho Code authorizes~~ The Idaho Transportation Department ~~to request~~ the advice and assistance of the Dealer Advisory Board in the administration of matters concerning vehicle dealers and automotive industry in Idaho. ~~all vehicle dealer and salesmen regulations, vehicle titling policies, and other such procedures that may affect the orderly operation of all vehicle dealerships regulated by the Department.~~ This advice may take place in the form of candid and robust conversations or specific recommendations.

Recommendations or ideas about policy changes that may require legislative action may be made to the department. The department will consider the recommendations internally and determine if

48 further review is warranted. If approved by the Idaho Transportation Board, the idea will be
49 advanced to the executive branch process for further consideration.

50
51 The Governor's Office and the Division of Financial Management, working with department
52 staff, act as clearinghouses to ensure a cohesive executive branch position on all legislative
53 issues. While members are free to share their opinions on various topics, they shall not
54 individually represent the advisory board to external stakeholders or legislators about a potential
55 legislative issue until the department confirms alignment with the Governor's Office.

56
57 The Dealer Advisory Board will meet at least twice a year and as necessary as determined by the
58 Division of Motor Vehicles Administrator. The Dealer Advisory Board Chairman, or his
59 designee, will present annually to the Idaho Transportation Board a summary of its activities.

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61
62 ~~The Department Director or a designee is authorized to determine which items must be reviewed~~
63 ~~by the Dealer Advisory Board and shall schedule regular meetings accordingly.~~

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65 Approved by the Board on:

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68 Signed _____
69 ~~Jerry Whitehead~~ Bill Moad
70 Board Chairman

Date: ~~October 24, 2013~~ _____



DEALER ADVISORY BOARD ACTIVITIES

Purpose

This policy implements Board Policy 4040 concerning the activities of the Dealer Advisory Board.

Legal Authority

Idaho Code 49-1602(7) – Department shall provide regular meetings of the Dealer Advisory Board.

Idaho Code 49-1602(9) – Department shall consider recommendations of the advisory board concerning the licensing of motor vehicle dealers and salespersons.

Idaho Code 49-1602(10) – Department shall require the attendance of 1 to 3 members of the advisory board at hearings conducted under the dealers and salesmen licensing provisions.

Idaho Code 49-1603 – Establishment of dealer advisory board – number of members, terms, compensation and meeting dates.

Idaho Code 49-1608C – Establishes the “board” which administers the Idaho Consumer Asset Recovery (ICAR) fund and is comprised of the director of the Idaho Transportation Department and Dealer Advisory Board or their designee (s).

Idaho Code 49-1610 – Establishes a right of action for persons who are defrauded by a dealer or one of the dealer’s salespersons.

Idaho Code 49-1618 – Denial or revocation of a license requires a hearing.

All Department activities concerning the Dealer Advisory Board shall be the responsibility of the Division of Motor Vehicles Administrator or a designee.

In order to give proper consideration to items concerning dealers and salesmen licensing activities, the Idaho Transportation Department requests the Dealer Advisory Board to function in the following manner:

- Review Department policies and regulations affecting Title 49, Chapter 16, Idaho Code, as they affect Idaho vehicle dealerships and the licensing of vehicle salesmen and make recommendations for the Division of Motor Vehicles Administrator to consider in adopting Board and/or Administrative Policies and regulations.
- Advise the Division of Motor Vehicles concerning needs for activities involving Title 49, Chapter 16, Idaho Code.
- Advise the Division of Motor Vehicles Administrator concerning proposed legislation pertaining to Title 49, Chapters 5 and 16, Idaho Code, regarding dealers and salesman regulated activities.

- Inform the Division of Motor Vehicles Administrator about issues and problems relating to the licensing of vehicle dealers and salesmen.
- Address issues or problems brought before the board by the Division of Motor Vehicles, or as requested by members of the dealership community or who have a valid interest in the dealer and salesman business, policies or regulations.
- Report annually to the Idaho Transportation Board on activities, accomplishments, needs and problems faced by Idaho licensed vehicle dealers and salesmen.
- Attend administrative hearings on dealer and salesman revocation, suspension, cancellation, or denial activities as requested.
- Review the findings of the Department Hearing Officer on all vehicle license revocation hearings and make recommendation to the Director or a designee regarding appropriate action as requested.

Meetings of the Dealer Advisory Board may be called by the Transportation Board, Department Director, or the Division of Motor Vehicles Administrator.

Signed _____

Brian W. Ness
Director

Date November 15, 2013



DEALER ADVISORY BOARD ACTIVITIES

Purpose

This policy implements Board Policy 4040 concerning the activities of the Dealer Advisory Board.

Legal Authority

Idaho Code 49-1602(7) – Department shall provide regular meetings of the Dealer Advisory Board.

Idaho Code 49-1602(9) – Department shall seek and consider the advisory board's recommendations and comments regarding proposed rules promulgated for the administration of the provisions of this chapter. ~~consider recommendations of the advisory board concerning regarding the licensing of motor vehicle dealers and salespersons.~~

Idaho Code 49-1602(10) – Department shall require the attendance of 1 to 3 members of the advisory board at hearings conducted under the dealers and salesmen licensing provisions.

Idaho Code 49-1603 – Establishment of dealer advisory board – number of members, terms, compensation, and meeting dates.

Idaho Code 49-1608C – Establishes the “board” which administers the Idaho Consumer Asset Recovery (ICAR) fund and is comprised of the director of the Idaho Transportation Department and Dealer Advisory Board or their designee (s).

Idaho Code 49-1608D, E, F- Establishes authority of the ICAR Board to distribute funds for claims and to set annual ICAR fee amounts as prescribed in these sections.

Idaho Code 49-1610 – Establishes a right of action for persons who are defrauded by a dealer or one of the dealer's salespersons.

Idaho Code 49-1618 – Denial or revocation of a license requires a hearing.

On behalf of the Director all Idaho Transportation Department activities concerning the Dealer Advisory Board shall be the responsibility of the Division of Motor Vehicles Administrator or a designee.

In order to give proper consideration ~~to items~~ to matters concerning dealers and salesmen licensing activities in the state of Idaho, the ~~Idaho Transportation Department~~ department requests the Dealer Advisory Board to function in the following manner:

- Provide industry perspective and advice to ~~Review Department policies and regulations affecting Title 49, Chapter 16, Idaho Code, as they affect Idaho vehicle dealerships and the licensing of vehicle salesmen and make recommendations for~~ the Division of Motor Vehicles regarding matters concerning the licensing of dealers and salesmen dealer and automotive industry in Idaho. ~~Administrator to consider in adopting Board and/or Administrative Policies and regulations.~~

- ~~• Advise the Division of Motor Vehicles concerning needs for activities involving Title 49, Chapter 16, Idaho Code.~~
- Advise the Division of Motor Vehicles ~~Administrator concerning~~ regarding proposed rules and legislation concerning the dealer and automotive industry in Idaho ~~pertaining to Title 49, Chapters 5 and 16, Idaho Code, regarding dealers and salesmen regulated activities.~~
- ~~• Inform the Division of Motor Vehicles Administrator about issues and problems relating to the licensing of vehicle dealers and salesmen.~~
- ~~• Address issues or problems brought before the board by the Division of Motor Vehicles, or as requested by members of the dealership community or who have a valid interest in the dealer and salesman business, policies or regulations.~~
- ~~• Report annually to the Idaho Transportation Board on activities, accomplishments, needs and problems faced by Idaho licensed vehicle dealers and salesmen.~~
- Attend administrative hearings on dealer and salesmen revocation, suspension, cancellation, or denial activities as requested.
- ~~• Review the findings of the Department Hearing Officer on all vehicle license revocation hearings and make recommendation to the Director or a designee regarding appropriate action as requested.~~
- Act as the ICAR Fund Control Board to administer payouts of claims to the ICAR fund per Idaho Code 49-1608F. The ICAR Fund Control Board sets the fee amount for dealers to remit to the fund annually.

Dealer Advisory Board Membership

Selection and appointment shall be made solely with regard to the best interests of the various functions of the advisory board. Each member at the time of his/her appointment shall be a citizen and resident taxpayer of the state of Idaho.

The advisory board shall be composed of eleven members. All members shall be knowledgeable and have experience in dealer and salesmen licensing. Five (5) members shall be appointed from licensed dealers selling new vehicles, four (4) members appointed from licensed dealers selling used vehicles, one (1) member shall be appointed from licensed dealers selling new recreational vehicles and one (1) member shall be appointed to represent new and used motorcycle and ATV dealers.

The Governor shall appoint the board members for terms of three years. The term of each member shall begin immediately upon his appointment and qualification.

~~Meetings of the Dealer Advisory Board may be called by the Transportation Board, Department Director, or the Division of Motor Vehicles Administrator.~~

Signed _____
Brian W. Ness L. Scott Stokes
Director

Date November 15, 2013



BOARD POLICY 4042

Page 1 of 1

TRUCKING ADVISORY COUNCIL (TAC)

Purpose

This policy establishes a Trucking Advisory Council (TAC) to assist the Board with issues in the trucking industry.

Legal Authority

Idaho Code 40-307 – For the administration of their function, the Board may employ such persons as are deemed necessary.

Idaho Code 40-314(3) – Authority of Board to exercise powers necessary to implement the provisions of Title 40.

Coordination/Communication with the Board

Idaho Code authorizes the Idaho Transportation Board to establish internal structures deemed necessary for the administration of its duties. Under this authority, the Idaho Transportation Board shall create a Trucking Advisory Council (TAC) to assist and advise the Board on issues of safety, mobility, and economic vitality of the trucking industry. The Trucking Advisory Council shall advise the Board on issues and policies concerning freight transportation, trucking safety, and services in Idaho.

The Board shall appoint TAC members from recommendations submitted by the Motor Vehicle Administrator in consultation with the trucking industry.

At least once a year, the TAC shall formally present to the Board a report on TAC recommendations, activities, goals and objectives.

Approved by the Board on:

Signed _____

Jerry Whitehead
Board Chairman

Date: October 24, 2013



BOARD POLICY 4042

Page 1 of 2

TRUCKING ADVISORY COUNCIL (TAC)

Purpose

The Idaho Transportation Department values the expertise and guidance of advisory boards and councils.

The purpose of the ~~This policy establishes a~~ Trucking Advisory Council (TAC) ~~to assist the Board with issues in the trucking industry.~~ is to provide the Idaho Transportation Department with current industry knowledge, analysis, and insights to consider in the department's decision-making processes.

Legal Authority

Idaho Code 40-307 – For the administration of their function, the Board may employ such persons as are deemed necessary.

Idaho Code 40-314(3) – Authority of Board to exercise powers necessary to implement the provisions of Title 40.

Coordination/Communication with the Board

~~Idaho Code authorizes~~ The Idaho Transportation ~~Board~~ Department requests the advice and assistance of the Trucking Advisory Council in the administration of matters concerning the trucking industry in Idaho. This advice may take the form of candid and robust conversations or specific recommendations. ~~to establish internal structures deemed necessary for the administration of its duties. Under this authority, the Idaho Transportation Board shall create a Trucking Advisory Council (TAC) to assist and advise the Board on issues of safety, mobility, and economic vitality of the trucking industry. The Trucking Advisory Council shall advise the Board on issues and policies concerning freight transportation, trucking safety, and services in Idaho.~~

Recommendations or ideas about policy changes that may require legislative action may be made to the department. The department will consider the recommendations internally and determine if further review is warranted. If approved by the Idaho Transportation Board, the idea will be advanced to the executive branch process for further consideration.

The Governor's Office and the Division of Financial Management, working with department staff, act as clearinghouses to ensure a cohesive executive branch position on all legislative issues. While members are free to share their opinions on various topics, they shall not

individually represent the council to external stakeholders or legislators about a potential legislative issue, until the department confirms alignment with the Governor's Office.

The Trucking Advisory Council will meet regularly and as necessary as determined by the Director or Division of Motor Vehicles Administrator. The Trucking Advisory Council Chairman, or his designee, will present annually to the Idaho Transportation Board a summary of its activities.

~~The Board shall appoint TAC members from recommendations submitted by the Motor Vehicle Administrator in consultation with the trucking industry.~~

~~At least once a year, the TAC shall formally present to the Board a report on TAC recommendations, activities, goals and objectives.~~

Approved by the Board on:

Signed _____
~~Jerry Whitehead~~ Bill Moad
Board Chairman

Date: October 24, 2013



TRUCKING ADVISORY COUNCIL (TAC)

Purpose

This policy implements Board Policy 4042 concerning the activities of the Trucking Advisory Council.

Legal Authority

Idaho Code 40-307 – For the administration of their function, the Board may employ such persons as are deemed necessary.

Idaho Code 40-314(3) – Authority of Board to exercise powers necessary to implement the provisions of Title 40.

Coordination/Communication with the Board

Idaho Code authorizes the Idaho Transportation Board to establish internal structures deemed necessary for the administration of its duties. Under this authority, the Idaho Transportation Board utilizes the Trucking Advisory Council (TAC) to assist and advise the Board on issues of safety, mobility, and economic vitality.

The Trucking Advisory Council shall advise the Board on issues and policies concerning freight transportation, trucking safety, and services in Idaho. Such advice shall include laws, rules, regulations, policies, and procedures affecting motor carrier operations within the State of Idaho. The TAC shall provide leadership, recommend law, administrative rule, and/or procedural changes to improve customer service, promote safe trucking practices, identify transportation needs, recommend highway safety improvements, and promote coordinated freight transportation systems.

Proposals for recommended legislation shall be prepared and submitted to the Board, within the Department's schedules. Pending Board approval, such proposals may be included in the Department's legislative package.

Bylaws of the TAC outlining procedures and meeting attendance guidelines shall be drafted by the members and submitted to the Transportation Board for approval within six months of the first meeting.

The TAC shall develop partnerships and coordination efforts with the Idaho State Police, Federal Motor Carrier Safety Administration, State Tax Commission, statewide trucking organizations, other organizations with trucking members and interests, and safety coalitions.

The Department's Division of Motor Vehicles shall provide administrative support to the TAC. At least once a year, the TAC shall formally present to the Board an update/report on TAC recommendations, activities, goals, and objectives.

TAC Membership

The Board shall appoint seven members - one member for each of the six Transportation Department districts plus one member to serve as Chair for an initial three year term. After this initial appointment expires, the subsequent Chair shall be elected by the six remaining Council members to a three year term. The Board shall then appoint a replacement Council member from the elected Chair's district, so that the Council has full representation for each of the six districts.

The Board shall appoint TAC members from recommendations submitted by the Motor Vehicle Administrator in consultation with the trucking industry. The Motor Vehicle Administrator shall solicit and accept recommendations from the general trucking industry as well as statewide trucking organizations, organizations with trucking members and interests, and safety coalitions.

Each member shall serve a three-year term, except that the initial appointment may be for one to three years, structured to allow two members to be appointed or reappointed each year. All appointments shall expire on December 31, after their respective one- two- or three-year appointment. The TAC shall meet a minimum of two times per year, with additional meetings as needed. The members shall be reimbursed for attending the TAC meetings according to the provisions of Section 59-509 (m), Idaho Code. The TAC members shall also be reimbursed by the Department for travel and expenses according to the limits specified in Section 67-2008, I.C.

Signed _____

Brian W. Ness
Director

Date: November 15, 2013



TRUCKING ADVISORY COUNCIL ~~(TAC)~~

Purpose

This policy implements Board Policy 4042 concerning the activities of the Trucking Advisory Council.

Legal Authority

Idaho Code 40-307 – For the administration of their function, the Board may employ such persons as are deemed necessary.

Idaho Code 40-314(3) – Authority of Board to exercise powers necessary to implement the provisions of Title 40.

Coordination/Communication with the Board

~~Idaho Code authorizes the Idaho Transportation Board to establish internal structures deemed necessary for the administration of its duties. Under this authority, the Idaho Transportation Board utilizes the Trucking Advisory Council (TAC) to assist and advise the Board on issues of safety, mobility, and economic vitality.~~

~~The Trucking Advisory Council shall advise the Board on issues and policies concerning freight transportation, trucking safety, and services in Idaho. Such advice shall include laws, rules, regulations, policies, and procedures affecting motor carrier operations within the State of Idaho. The TAC shall provide leadership, recommend law, administrative rule, and/or procedural changes to improve customer service, promote safe trucking practices, identify transportation needs, recommend highway safety improvements, and promote coordinated freight transportation systems.~~

~~Proposals for recommended legislation shall be prepared and submitted to the Board, within the Department's schedules. Pending Board approval, such proposals may be included in the Department's legislative package.~~

~~Bylaws of the TAC outlining procedures and meeting attendance guidelines shall be drafted by the members and submitted to the Transportation Board for approval within six months of the first meeting.~~

~~The TAC shall develop partnerships and coordination efforts with the Idaho State Police, Federal Motor Carrier Safety Administration, State Tax Commission, statewide trucking organizations, other organizations with trucking members and interests, and safety coalitions.~~

~~The Department's Division of Motor Vehicles shall provide administrative support to the TAC. At least once a year, the TAC shall formally present to the Board an update/report on TAC recommendations, activities, goals, and objectives.~~

On behalf of the Director, all Idaho Transportation Department activities concerning the Trucking Advisory Council shall be the responsibility of the Division of Motor Vehicle Administrator or designee.

In order to give proper consideration to matters concerning the trucking industry in the state of Idaho, the department requests the Trucking Advisory Council to function in the following manner:

- Provide industry perspective and advice to the Division of Motor Vehicles regarding matters concerning trucking in Idaho.
- Advise the Division of Motor Vehicles regarding proposed rules and legislation concerning trucking in Idaho.

Trucking Advisory Board Council Membership ~~TAC Membership~~

The ~~B~~board council shall be composed of ~~appoint~~ seven members. All members shall be knowledgeable and have experience in the trucking industry. ~~One member shall serve from each of the six Transportation Department districts plus one member to serve as Chair. for an initial three year term. After this initial appointment expires, the subsequent~~ At the expiration of the Chair's term, a new Chair shall be elected by the six remaining council members to a three-year term. In the event that the election of a Chair creates a vacancy, the Board shall then appoint a replacement Council member from the elected Chair's district, so that the Council has full representation for each of the six districts.

The ITD Board shall appoint ~~TAC~~ Trucking Advisory Council members from recommendations submitted by the Motor Vehicles Administrator in consultation with the trucking industry. The Motor Vehicles Administrator shall solicit and accept recommendations from the general trucking industry as well as statewide trucking organizations, ~~organizations with trucking members and interests, and safety coalitions.~~

Each member shall serve a three-year term, except that the initial appointment may be for one to three years, structured to allow two members to be appointed or reappointed each year. All appointments shall expire on December 31, after their respective one, ~~two,~~ ~~or~~ three-year appointment. ~~The TAC shall meet a minimum of two times per year, with additional meetings as needed. The members shall be reimbursed for attending the TAC meetings according to the provisions of Section 59-509 (m), Idaho Code. The TAC members shall also be reimbursed by the Department for travel and expenses according to the limits specified in Section 67-2008, I.C.~~ The term of each member shall begin upon their appointment.

Signed _____
Brian W. Ness L. Scott Stokes
Director

Date: November 15, 2013



DIVISION OF MOTOR VEHICLE/COUNTY AUTOMATED SYSTEMS

Purpose

The purpose of this policy is to implement Board policy 4068 defining the responsibilities of the Department and County offices regarding sharing motor vehicle and driver's license information.

Legal Authority

- [Idaho Code 49-201\(1\)](#) - The Board may enter into agreements with private companies or public entities as may be necessary to carry out the provisions of this title.
- [Idaho Code 49-202](#) - Duties of Department regarding motor vehicles.
- [Idaho Code 49-205](#) - Duties of local officers - assessors to perform such vehicle registration, titles and licenses are required by Title 49, local peace officers shall enforce the provisions of Title 49.
- [Idaho Code 49-314](#) - Appointment of local examiners to administer driving tests.
- [Idaho Code 49-105\(3\)](#) - Department means the Idaho Transportation Department which includes the Division of Motor Vehicles.

Responsibilities

In the spirit of the above-mentioned code sections, the Department shall:

- Provide each county, at a minimum, automated equipment for one Assessor office to perform motor vehicle licensing and one Sheriff office to perform driver's licensing. The number of terminals that are installed in each office shall be monitored to maintain uniformity in customer service and availability across the state. Factors that may be considered include past transaction volumes and rates of increase (monthly thresholds per computer is 350 for driver's license and 850 for motor vehicle, but the Department reserves the right to update these thresholds as automated systems and software provide user efficiencies), county/region population growth, and public accessibility.
- Provide and pay for data communication lines, routers, switches, and other communications equipment.
- Maintain all Department-owned equipment.
- Develop and maintain all application software. County personnel shall be consulted when new application development is necessary.
- Supply all required forms, printer toner, cameras, lamination, etc. Any use of these supplies by the county for purposes not related to motor vehicles or driver licenses shall be approved by the Department. The county shall reimburse the Department for supplies used for purposes not related to motor vehicles or driver licenses.
- Budget for and purchase the Department-required equipment when upgrades are needed to maintain compatibility and/or uniformity with the rest of the automated system.
- Provide annual training to county personnel in the issuance of driver's licenses, registrations, and title applications.
- Assign and manage User IDs and Passwords for County DMV automated systems.

In Partnership with the Department, the County shall:

- Provide office space to conduct motor vehicle and driver related activities. Any building modifications that are required to operate the equipment, including any additional power circuits or outlets, are the responsibility of the county.

- Provide county training and allow only properly trained personnel to operate the equipment and work within the automated system. Any county allowed access to the automated driver and/or motor vehicle records shall maintain the security of the records at all times.
- Obtain access to Department computer systems by providing a USER ID/PASSWORD combination. The USER ID identifies the individual user and the security level of that user, and the PASSWORD verifies the user's identity. County shall sign on to a computer using only their USER ID/PASSWORD combination. A password shall be known only to the user and not divulged to anyone else. If access to Department systems is needed and the user is unavailable, access may be granted by contacting the Department's County IT Support team. Passwords will expire every 90 days and cannot be re-used.
- Notify the Department when an employee leaves or a new employee is hired within ten (10) days.
- Use supplied equipment for motor vehicle or driver's licensing business only. Other use shall be approved by the Department.
- Budget for and purchase any equipment for which the county is responsible when upgrades are required; e.g., cash registers, fax machines, copiers, shredders, and customer queuing systems.
- Protect Department equipment from hazard and theft. Protection should be no less than for county-owned equipment.
- Require new employees to complete the Department's mandatory training within first week of hire before user access is provided.
- Protect Department network and database from inappropriate access.
- Not allow agents or other to insert USBs, download applications, or use Department equipment for personal or non-Department use

Office Relocation, or Remodel

The Department shall pay all equipment re-installation expenses when a Motor Vehicle or Driver's Licensing office is relocated or remodeled.

The county is responsible for notifying the Department at least 90 days before an office is relocated or remodeled if the remodel requires any Department equipment to be moved to new locations. The Department cannot guarantee that the communications equipment, terminals, and printers can be relocated and re-installed if this advance notification is not made. Notifications shall be provided in writing and identify the new location or describe the remodeling being done and give the expected date of the relocation or remodel.

The Department shall assist the county in arranging to have the communications lines relocated, if necessary, and moving and reinstalling Department equipment. If the communications equipment was previously shared with another office, relocation to separate offices may require the purchase of additional communications equipment and installation of new data circuits which could add 30-60 days to the timeframe. When an office moves to a new location, the county is responsible for providing necessary network cabling/connections from the Department equipment (terminals/printers) to where the Department's communication equipment will be installed. This would normally be installed by the county contractor/builder at the same time as the electrical work is performed. The Department shall provide network specifications and technical assistance to the county as needed.

Permanent Office Closure

The County shall notify the Department in writing at least sixty (60) days in advance of the scheduled closure. Within thirty (30) days after the closure, the County shall coordinate with the Department to pick up all Department-owned equipment.

Additional (Satellite) Offices

The Department may pay for additional (satellite) offices within a county provided that:

- The Department is notified in writing of the plan to open a satellite office before June 30th of the state fiscal year (July-June), two fiscal years prior to when the move is scheduled to take place.
- The county submits written justification as to why the office is needed; how customer service is improved, and/or how access to services is improved, and that county transaction thresholds are met at main location. (Monthly thresholds per computer is 350 for driver's license and 850 for motor vehicle, but the Department reserves the right to update these thresholds as automated systems and software provide user efficiencies.)
- Counties should immediately notify the Department any time a satellite office is, or may be, considered.
- The county's justification for satellite operation shall be reviewed by the Department and a determination made as to whether or not the Department shall pay for a new communication line and equipment (including installation and maintenance) at the proposed satellite office.
- When justification is acceptable, the Department shall arrange for equipment installation at the satellite office. If the Department determines that there is adequate justification, but the request is not within the required notification time frame, the opening of the satellite office may be delayed until funding becomes available.

Additional Terminals

Additional terminals or printers in excess of the number initially assessed for each county may be requested when:

- made in writing, and
- a justification is submitted indicating why the additional terminal is needed, how the terminal will be used, and how customer service and public access to services may be improved.

When an additional terminal is approved, the equipment shall be installed when it is available. If an adequate number of spares are not available, the request may not be fulfilled until the next state fiscal year when the expenses can be budgeted by the Department.

Any software development or programming revisions that may be required due to the addition of equipment shall be provided by the Department.

Credit Card Readers on Department Computers

If a county elects to use a credit card reader device on a Department computer, the county will provide the following Department Standards to the prospective third-party vendor to ensure their solution meets these minimum requirements.

A credit card solution is acceptable to the Department, when all of the following standards are met:

- a) The application must be compliant with the Department's County Desktop Standard, Windows 10 or later, Intel Based: <https://ita.idaho.gov/psg/s2100.pdf> (the Department has adopted ITA standards).
- b) Any internet traffic required by the system must comply with the Department's Internet Browser Standard: Current vendor supported versions of MS Edge and Google Chrome: <https://ita.idaho.gov/psg/s3110.pdf> (the Department has adopted ITA standards).
- c) There is no PCI-DSS responsibility created for the Department by the use of the provided solution on the Department computer.
- d) The transaction must be fully encrypted from origin to destination.
- e) The transactions must follow PCI-DSS encryption standards <https://www.pcisecuritystandards.org>.

- f) The credit card device must be encrypted for swiping, inserting the card, or keying in card information.
- g) At no time should card data be allowed to be entered on the desktop using a keyboard. Card data can only be entered through the vendor provided device.
- h) The system must not require changes to existing network configuration and architecture. It should flow with normal traffic, not requiring specialized firewall rules or IP Addresses.
- i) Any application required to be installed on the Department computers must be reviewed and approved by the Department prior to execution of the vendor contract to ensure the software meets the Department's security standards.
- j) Any breach of data caused by county agent or vendor shall be sole financial responsibility of the county or entity. The Department shall not be held responsible in any way.

If a vendor's solution does not meet the above criteria, a county can still elect to use the processor; however, the county computer must be used to process credit card payments.

Other Software on Department Computers

Any other software accessed or installed on Department Computers is expected to adhere to the same security requirements stated above to protect PII and Department property. All non-Department supported software applications must be reviewed and pre-approved prior to installation on a Department computer. The Department reserves the right to request removal of non-Department programs or equipment in the event support requirements provide undue burden on the Department for a non-Department product.

Effective Date and Disclaimer

After the effective date of this policy, all equipment and/or maintenance for motor vehicle and driver's licensing functions shall be handled according to the above-mentioned policy.

Previous agreements between the Department and the Counties that are still in effect are not superseded by this policy. No refunds for county expenses that have incurred prior to this policy shall be considered.



L. Scott Stokes
Director

3 / 29 / 2023
Date



DIVISION OF MOTOR VEHICLE/COUNTY AUTOMATED SYSTEMS

Purpose

The purpose of this policy is to implement Board Policy 4068 defining the responsibilities of the Department and County offices regarding sharing motor vehicle and driver's license information.

Legal Authority

Idaho Code 49-201(I) - The Board may enter into agreements with private companies or public entities as may be necessary to carry out the provisions of this title.

Idaho Code 49-202 - Duties of Department regarding motor vehicles.

Idaho Code 49-205 - Duties of local officers - assessors to perform such vehicle registration, titles and licenses are required by Title 49, local peace officers shall enforce the provisions of Title 49.

Idaho Code 49-314 - Appointment of local examiners to administer driving tests.

Idaho Code 49-105(3) - Department means the Idaho Transportation Department which includes the Division of Motor Vehicles.

Responsibilities

In the spirit of the above-mentioned code sections, the Department shall:

- Provide each eCounty, at a minimum, workstations automated equipment for one Assessor office to perform motor vehicle licensing and one Sheriff office to perform driver's licensing. The number of workstations terminals that are installed in each office will primarily be based on the per workstation monthly transaction thresholds of shall be monitored to maintain uniformity in customer service and availability across the state. Factors that may be considered include past transaction volumes and rates of increase (four hundred and ninety (490) transactions for driver's license, eight hundred and forty (840) transactions for motor vehicles, or six hundred and sixty-five (665) transactions for hybrid offices. monthly thresholds per computer is 350 for driver's license and 850 for motor vehicle, but the Department reserves the right to update these thresholds as automated systems and software provide user efficiencies), county/region population growth, and public accessibility.
- Provide printers to print all material relevant to motor vehicles and driver licenses. The printers provided will be dependent upon office size and layout. The Department will provide, at most, one (1) printer for every two (2) workstations in an office.
- Provide computers to allow citizens to complete driver license knowledge testing. The number of knowledge testing stations that are installed in each office will be dependent upon the number of tests administered by the County. Each County will receive a minimum of two (2) testing stations, additional testing stations will be provided for every one hundred (100) tests administered per month above the two hundred (200) test threshold covered by the minimum testing stations provided to each County.
- Monitor equipment usage to maintain uniformity in customer service and availability across the state. The need for additional equipment or replacement of existing equipment shall be determined based primarily on historical transaction volumes; however, the Department may also consider rate of change in transaction volumes, county/regional population growth, and public accessibility. The Department reserves the right to update any thresholds in this policy at any time as systems and software allow for greater efficiencies.
- Provide and pay for data communication lines, routers, switches, and other communications equipment.
- Maintain all Department-owned equipment. All equipment provided under this policy will be considered Department-owned equipment.
- Develop and maintain all application software. County personnel shall be consulted when new application development is necessary.
- Supply all required forms, printer toner, cameras, scanners lamination, etc and any other equipment or supplies the Department deems necessary. Any use of these supplies or equipment provided under this policy

by the eCounty for purposes not related to motor vehicles or driver licenses shall be approved by the Department. The eCounty shall reimburse the Department for supplies or equipment used for purposes not related to motor vehicles or driver licenses. The Department reserves the right to change or modify any equipment and/or types of equipment as it sees fit to accommodate system enhancements or changes in technology.

- Budget for and purchase the Department-required equipment when upgrades are needed to maintain compatibility and/or uniformity with the rest of the automated system.
- Provide annual training, recertification training modules, and initial training modules to eCounty personnel in the issuance-processing of driver's licenses, identification cards, registrations, and/or title transactions applications. Attendance or completion of these trainings are mandatory for all County personnel to receive and maintain access to Department systems.
- Assign and manage User IDs and Passwords for County DMV automated systems.
- Remove user access from Department systems if they fail to comply with the provisions of this policy, or any other Department policy.
- Provide policy and procedure guidance to the County in order to carry out the provisions of Title 49 Idaho Code and IDAPA 39.

In Partnership with the Department, the County shall:

- Provide office space to conduct motor vehicle and driver related activities. Any building modifications that are required to operate the equipment, including any additional power circuits or outlets, are the responsibility of the eCounty.
- Provide eCounty training and allow only properly trained personnel to operate the equipment and work within the automated system. Any eCounty allowed access to the automated driver and/or motor vehicle records shall maintain the security of the records at all times.
- Obtain access to Department computer systems by providing a USER ID/PASSWORD combination. The USER ID identifies the individual user and the security level of that user, and the **PASSWORD** verifies the user's identity. County shall sign on to a computer using only their USER ID/PASSWORD combination. A password shall be known only to the user and not divulged to anyone else. If access to Department systems is needed and the user is unavailable, access may be granted by contacting the Department's County IT Support team. Passwords will expire every ninety (90) days and cannot be re-used.
- Notify the Department when an employee leaves or a new employee is hired within ten (10) days.
- Use supplied equipment for motor vehicle or driver's licensing business only. Other use shall be approved by the Department.
- Budget for and purchase any equipment for which the eCounty is responsible when upgrades are required; e.g., cash registers, fax machines, copiers, shredders, and customer queuing systems.
- Protect Department equipment from hazard and theft. Protection should be no less than for eCounty-owned equipment.
- Require new employees to complete the Department's mandatory training within the first week of hire before user access is provided. All County personnel shall also be required to attend annual training, complete recertification modules, and complete annual policy reviews to maintain user access.
- Protect Department network and database from inappropriate access.
- Not allow agents or others to insert USBs, download applications, or use Department equipment for personal or non-Department use.
- Follow the guidance provided by the Department to allow for a consistent citizen experience everywhere in the state.

Background Checks

All County employees must pass an FBI NCIC IAFIS fingerprint background check before gaining access to Department systems and data. All County employees must also pass the same background check every five (5) years. Counties are able to submit fingerprint cards to the Department, the Department will run the background check, the Department will pay the cost of the background check, and Department will review the results of the background check for passage. County employees will be disqualified from gaining or maintaining access to Department systems if any of the following appear on the background check:

Under Want or Warrant

An employee who is wanted or under indictment in any civilian or military jurisdiction for a felony referenced in this section is disqualified until the want or warrant is released.

Permanently Disqualifying Criminal Offenses

An employee is permanently disqualified if convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, of any of the felonies set forth in 49 CFR 1572.103(a).

Interim Disqualifying Criminal Offenses

An employee is disqualified if convicted in a civilian or military jurisdiction or admits to having committed any of the criminal offenses referenced in 49 CFR 1572.103(b) within the seven (7) years preceding the date of employment, or the employee was released from incarceration for the crime within the five (5) years preceding the date of employment.

Cybersecurity

The Department shall require Multi-factor Authentication (MFA) or other security measures for all users to access DMV systems. The Department will make available options besides mobile phone usage for MFA. The Department will not provide mobile phones or reimbursement to users to meet this purpose.

Office Relocation or Remodel

The Department shall pay all equipment re-installation expenses when a Motor Vehicle or Driver's Licensing office is relocated or remodeled.

The eCounty is responsible for notifying the Department at least ninety (90) days before an office is relocated or remodeled if the remodel requires any Department equipment to be moved to new locations. The Department cannot guarantee that the communications equipment, terminals, and printers can be relocated and re-installed if this advance notification is not made. Notifications shall be provided in writing and identify the new location or describe the remodeling being done and give the expected date of the relocation or remodel.

The Department shall assist the eCounty in arranging to have the communications lines relocated, if necessary, and moving and reinstalling Department equipment. If the communications equipment was previously shared with another office, relocation to separate offices may require the purchase of additional communications equipment and installation of new data circuits which could add thirty to sixty (30-60) days to the timeframe. When an office moves to a new location, the eCounty is responsible for providing necessary network cabling/connections from the Department equipment (terminals/printers) to where the Department's communication equipment will be installed. This would normally be installed by the eCounty contractor/builder at the same time as the electrical work is performed. The Department shall provide network specifications and technical assistance to the eCounty as needed.

Permanent Office Closure

The County shall notify the Department in writing at least sixty (60) days in advance of the scheduled closure. Within thirty (30) days after the closure, the County shall coordinate with the Department to pick up all Department-owned equipment.

Additional (Satellite) Offices

The Department may pay for additional (satellite) offices within a county provided that:

- The Department is notified in writing of the plan to open a satellite office before June 30th of the state fiscal year (July-June), two (2) fiscal years prior to when the move is scheduled to take place.
- The eCounty submits written justification as to why the office is needed; how customer service is improved, and/or how access to services is improved, and that eCounty transaction thresholds are ~~not being exceeded~~ at ~~existing main~~ locations. The need for additional offices will be dependent upon the existing office(s) exceeding the following per workstation monthly transaction thresholds of four hundred and ninety (490) transactions for driver's license, eight hundred and forty (840) transactions for motor vehicles, or six hundred and sixty-five (665) transactions for hybrid offices. (Monthly thresholds per computer is 350 for driver's license and 850 for motor vehicle, but The Department reserves the right to update these thresholds as automated systems and software provide user efficiencies.)
- Counties should immediately notify the Department any time a satellite office is, or may be, considered.
- The eCounty's justification for satellite operation shall be reviewed by the Department and a determination made as to whether or not the Department ~~shall~~ will pay for a new communication line and equipment (including installation and maintenance) at the proposed satellite office.
- When justification is acceptable, the Department shall arrange for equipment installation at the satellite office. If the Department determines that there is adequate justification, but the request is not within the required notification time frame, the opening of the satellite office may be delayed until funding becomes available.

Additional Terminals

Additional terminals or printers in excess of the number initially assessed for each eCounty may be requested when a written justification is submitted indicating why the additional terminal is needed, how the terminal will be used, and how customer service and public access to services may be improved.

- ~~made in writing, and a justification is submitted indicating why the additional terminal is needed, how the terminal will be used, and how customer service and public access to services may be improved.~~

~~When~~ If an additional terminal is approved, the equipment shall be installed when it is available. If an adequate number of spares are not available, the request may not be fulfilled until the next state fiscal year when the expenses can be budgeted by the Department.

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A credit card solution is acceptable to the Department, when ~~all of~~ the following standards are met:

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- b) Any internet traffic required by the system must comply with the Department's Internet Browser Standard: Current vendor supported versions of MS Edge and Google Chrome: <https://ita.idaho.gov/psg/s3110.pdf> (the Department has adopted ITA standards).
- c) There is no PCI-DSS responsibility created for the Department by the use of the provided solution on the Department computer.
- d) The transaction must be fully encrypted from origin to destination.

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- j) Any breach of data caused by eCounty agent or vendor shall be the sole financial responsibility of the eCounty or entity. The Department shall not be held responsible in any way.

If a vendor's solution does not meet the above criteria, a eCounty can still elect to use the processor; however, the eCounty computer must be used to process credit card payments.

Other Software on Department Computers

Any other software accessed or installed on Department ecomputers is expected to adhere to the same security requirements stated above to protect Personal Identifiable Information (PII) and Department property. All non-Department supported software applications must be reviewed and pre-approved prior to installation on a Department computer. The Department reserves the right to request removal of non-Department programs or equipment in the event support requirements provide undue burden on the Department for a non-Department product.

Effective Date and Disclaimer

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L. Scott Stokes
Director

3/29/2023

Date