

Negotiated Rulemaking Meeting Minutes – May 21, 2024 - 1:00-3:00 p.m. (MST)

11331 W. Chinden Boulevard, Building 8 | Boise, ID 83714
Broadway Conference Room (Remote Through Microsoft Teams)

Rules Under Review -

Rule	Description	Reason for Review
39.02.03	Rules Governing Vehicle Dealer’s Principal Place of Business and Claims to the Idaho Consumer Asset Recovery Fund	ZBR Scheduled Review
39.02.75	Rules Governing Names on Drivers’ Licenses and Identification Cards	ZBR Scheduled Review

Attendees:

Brendan Floyd – Idaho Transportation Department (ITD) Administrative Rules Coordinator
Brian Goeke – Idaho Transportation Department (ITD) DMV Policy Manager
Chrystal Allen – Idaho Transportation Department (ITD) DMV Policy Specialist
Sara Anderson – Idaho Transportation Department (ITD) DMV Data Research Analyst
Braidyn Seeley – Idaho Transportation Department (ITD) DMV Dealer Operations Program Supervisor
Colby Cameron – Idaho Transportation Department (ITD) Governmental Affairs Manager
Will Smith – Westerberg & Associates
Margaret Major – Idaho Division of Financial Management (DFM) Administrative Rules Analyst (Remote)
Brian Stender – Canyon County Assessor (Remote)
Linda Jones – Lincoln County Assessor (Remote)
Jim White – Idaho Dealer Advisory Board (Remote)
Kelly Hirning – Idaho Dealer Advisory Board (Remote)
Jim Addis – Idaho Automobile Dealers Association (IADA) (Remote)
Alecia Hunter – Independent Training Services (ITS) (Remote)
Rick Dandino – Dealers Pointe (Remote)
Dexton Lake – Idaho Farm Bureau (Remote)
Brad Farnsworth – General Counsel for Bretz RV & Marine (Remote)
Elisa Massoth – Attorney (Remote)

Summary:

At 1:03 p.m. - The meeting began with Idaho Transportation Department employee and attendee introductions.

From 1:05 p.m. to 1:12 p.m. - Brendan Floyd described the rule edits, explaining the two rules are under review due to the governor’s Zero-Based Regulation (ZBR) effort. These rules cover vehicle dealer principal place of business and ICAR fund requirements and names on driver’s licenses and ID cards. Floyd stated that the emphasis while reviewing these rules was to eliminate unnecessary language and terms already defined in statute. Floyd stated that ITD would be available to discuss the rules until 3 o’clock and asked if there were any questions before ITD went over the rules.

Floyd explained the rule edits to 39.02.03, which covers dealer principal place of business requirements and the ICAR fund. Floyd described the most substantive edit is one that requires a dealer's sign to be visible from 50 feet, explaining that current language is somewhat vague and this provision provides a more objective measure. Other edits include removing parts of the rule that are already addressed in statute. This includes information concerning liability insurance, bond requirements, and dealer suspension conditions. Floyd asked if anyone had any questions.

From 1:12 p.m. to 1:14 p.m. Chrystal Allen described the edits to 39.02.75, which covers how names appear on drivers' licenses and identification cards. Allen stated that the most notable change covers how punctuation marks can appear within a person's name. The draft removes the prescriptive language limiting which characters could be used and their placement, allowing the department to record names as they truly appear on legal documents like birth certificates. This helps ITD better align with federal REAL ID standards. Other edits include removing redundant provisions concerning the use of a stepparent's last name and combining a couple sections. Allen asked if anyone had any questions or comments on this rule.

At 1:14 p.m. – Brian Stender asked through the Microsoft Teams chat function if the department anticipated any other rulemaking for the next cycle. Floyd responded verbally, stating these were the only DMV rules under review for this year, but the department will be negotiating highway rules in July.

At 1:29 p.m. – Jim Addis joined the meeting. Floyd explained that the department had opened with an explanation of the rules and asked if Addis had any questions on the dealer rule. Addis stated he had previous conversations on the rule and he didn't think anything was wrong with. Floyd explained that the dealer ruler was pretty much cleanup and explained the rule is still open to be negotiated if he had any other thoughts.

At 3:00 p.m. – The meeting concluded.