

Resolution 2023-58
Vehicle Licensing Title Admin Fee Increase / House Bill 85

WHEREAS, pursuant to § 31-809, *Idaho Code (I.C.)*, the Kootenai County Board of County Commissioners has the power and duty to examine and audit the accounts of all officers having the care, management, collection or disbursement of moneys belonging to the county, or appropriated by law, or otherwise, for its use and benefit; and

WHEREAS, pursuant to § 31-870, *I.C.*, the Board of County Commissioners may impose and collect fees for those services provided by the county which would otherwise be funded by ad valorem tax revenues; and

WHEREAS, during the 2023 Legislative Session, the Idaho State Legislature enacted House Bill 85, which became effective as new law in, on July 1, 2023, under a new provision of § 31-870(4), *I.C.*; and

WHEREAS, pursuant to said new provision of § 31-870(4), *I.C.*, an administrative fee for all title transactions may be set by a Board of County Commissioners to cover costs at the county level associated with vehicle title and registration transactions instead of having property taxes cover the shortfall or longer wait times at the county DMV; and

WHEREAS, pursuant to § 31-870, *I.C.*, “...a board of county commissioners may impose and collect fees for those services provided by the county which would otherwise be funded by ad valorem tax revenues. The fees collected pursuant to this section shall be reasonably related to, but shall not exceed, the actual cost of the service being rendered...”; and,

WHEREAS, pursuant to § 63-1311, *I.C.*, “Notwithstanding any other provision of law, the governing board of any taxing district may impose and cause to be collected fees for those services provided by that district which would otherwise be funded by property tax revenues...”; and

WHEREAS, in order to cover operational costs that would otherwise be funded by ad valorem tax revenues, an independent analysis initiated by Kootenai County Clerk, Jennifer Locke, has determined that the administrative fees as permitted by § 31-870, *I.C.*, must be changed and/or set as follows:

- a) Under § 31-870(3), *I.C.*, the administrative fee for any registration issued pursuant to chapter 4, title 49, *Idaho code*, should *decrease* from \$10.00, to \$9.50 per registration; and
- b) Under § 31-870(4), *I.C.*, a new administrative fee for all title transactions collected and issued pursuant to chapter 5, title 49, *I.C.*, must be set at \$8.00 per title; and

WHEREAS, § 63-1311A, *I.C.*, requires for the advertisement of, and a hearing on, fee increases as enacted by a taxing district and whereas pursuant to § 31-870, *I.C.*, the Board of County Commissioners serves as the taxing district for Kootenai County; and

WHEREAS, § 63-1311A, *I.C.*, furthermore provides that no fee increase over 5% can be changed until a public hearing has been held; and

WHEREAS, § 31-710, *I.C.*, authorizes the Board of County Commissioners to hold such regular meetings and hearings for the transaction of county business; and

WHEREAS, an updated resolution is necessary to reflect said changes such fees; and

WHEREAS, pursuant to § 63-1311A, *I.C.*, the required notices have been published in the Coeur d' Alene Press on June 13, 2023 and June 20, 2023.

NOW THEREFORE, IT IS HEREBY RESOLVED that said fees to be effective as of October 1, 2023 and charged by the Kootenai County Vehicle Licensing Division of the Assessor's Office shall be as follows:

- a) The administrative fee per any registration issued pursuant to chapter 4, title 49, *Idaho code*, is hereby set and decreased from \$10.00 to \$9.50 per registration pursuant to § 31-870(3), *I.C.*; and
- b) A new administrative fee for all title transactions collected and issued pursuant to chapter 5, title 49, *I.C.*, pursuant to § 31-870(4), *I.C.*, is hereby set at \$8.00 per title.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Mattare, seconded by Commissioner Brooks, the following vote was recorded:

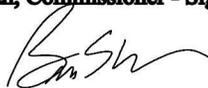
Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chairman Duncan: Aye

Upon roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 27th day of June, 2023.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

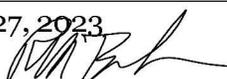


Leslie Duncan, Commissioner - Signed 6/27/2023



Bruce E. Mattare, Commissioner - Signed 6/27/2023

June 27, 2023



Bill Brooks, Commissioner - Signed 6/28/2023

ATTEST:

JENNIFER LOCKE, CLERK



Teri Johnston, Deputy Clerk - Signed 6/28/2023