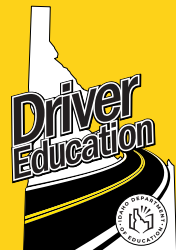




# IDAHO TRAFFIC LAWS



MAKING IDAHO ROADS SAFE

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## Idaho Statutes - Title 49 Motor Vehicles

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# IDAHO TRAFFIC LAWS

## Legend

\* - misdemeanor    \*\* - second violation misdemeanor    # - felony

	49-807(2)	DRIVING	Stop for stop sign
	49-651	DRIVING	Stop from alley or driveway
	49-1401A	DRIVING	Texting while driving
	49-639	DRIVING	Turn out with 3 or more vehicles following
	49-637(1)	DRIVING	Use designated lane
**	49-227	DRIVING	Without owner's consent (felony if damage exceeds \$1000)
	49-630	DRIVING	Wrong side of road
*	49-1426	DRUNK	Pedestrians under influence
	39-307A	DRUNK	Protective custody (incapacitated)
#	18-8006	DUI	Aggravated
*	18-8004(1)(b)	DUI	CDL limit of .04
*	18-8004(1)(c)	DUI	CDL limit of .08
*	18-8004	DUI	D.U.I.
*	18-8004(1)(a)	DUI	D.U.I. (.08)
*	18-8004C	DUI	Excessive D.U.I. (.20)
	18-8002A(2)	DUI	Failure of evidentiary tests
**	18-1501(3)	DUI	Injury to a child
	18-8002(3)	DUI	Refusal to submit to evidentiary testing
*	18-8004(1)(d)	DUI	Under 21 D.U.I. (.02)
**	49-1404	ELUDING	Failure to stop for police officer
	49-967	EQUIPMENT	Fail disclose inoperable air bags upon sale/transfer
	49-902(1)	EQUIPMENT	Good working order
	49-902(1)	EQUIPMENT	Unsafe equipment
	49-916	FARM EQUIPMENT	Light and reflectors
*	49-1012	FARM EQUIPMENT	Movement after dark
	49-953	FLARES	Display on disabled vehicle
	49-709	HITCHHIKER	Prohibited
	49-956(1)	HORN	Not in working order
**	49-1232	INSURANCE	Provide proof to peace officer
**	49-1428	INSURANCE	Driver operate without insurance - financial responsibility

**	49-1229	INSURANCE	Owner required to insure
	49-428	LICENSE PLATE	Display and fasten
	49-428(1)	LICENSE PLATE	Display current plates
	49-456(3)	LICENSE PLATE	Fictitious display
	49-456(4)	LICENSE PLATE	Lending plates
	49-425	LICENSE PLATE	Replace lost or mutilated
	49-920(3)	LIGHTS	Back-up lights
	49-910A	LIGHTS	Blue lights limited to police vehicles
	49-909	LIGHTS	Clearance lamps (910 color)
	49-907	LIGHTS	Reflectors
	49-923	LIGHTS	Dim: 2 (approach) 3 (follow)
	49-905(3)	LIGHTS	Headlights (height)
	49-918	LIGHTS	Misuse of spot light
	49-908(1)	LIGHTS	Stop: (919 color)
	49-906	LIGHTS	Tail: (color and height)
	49-908(2)	LIGHTS	Turn: (919 color)
	49-903	LIGHTS	Use when required
*	23-505(2)	LIQUOR	Consume/possess open container (driver)
	23-505(2)	LIQUOR	Consume/possess open container (passenger)
*	23-949	LIQUOR	Possess or consume under 21
*	23-505(1)	LIQUOR	Unlawful transportation/open container
*	18-3906	LITTER	Placing debris on public highway
	49-613	LITTER	Placing glass, etc. - prohibited
	49-913	LOADS	Flag or light overhang - (4 feet)
*	49-1010(4)	LOADS	Overhang - front (4 feet)
*	49-1010	LOADS	Overwidth, height, length
	49-940	MIRRORS	Requirements
	49-962	MOTORCYCLE	Footrests
	49-666	MOTORCYCLE	Helmet
	49-301(2)	MOTORCYCLE	Motorcycle endorsement on driver's license
	49-304(1)	MOTORCYCLE	Motorcycle endorsement on driver's license
	67-7125	MOTORCYCLE	Off-highway noise abatement, motorbikes and ATV
	67-7122	MOTORCYCLE	Off-highway sticker
	49-949	MUD FLAPS	Not sufficient/or fenders

	49-937	MUFFLER	Insufficient
*	49-1421	ONE WAY	Keep right of island/ barrier
	49-636	ONE WAY	Wrong way
	49-660	PARKED	No parking areas, described
	49-660	PARKED	No parking signs
	49-659	PARKED	Stopped upon roadway
	49-661(1)	PARKED	Wrong side of road
	49-634	PASSING	Insufficient clearance (200 feet)
	49-635(1)(b)	PASSING	Intersection or railroad crossing
	49-635(l)(a)	PASSING	On hillcrest or curve
	49-633	PASSING	On wrong side
	49-429	PERMITS	Display permit
*	49-1404	POLICE	Fail to stop for police officer
*	49-1419	POLICE	Obey traffic order
	49-648	R/R XING	Stop as required
	49-445	REC. VEHICLE	Required annual license
	49-909	REFLECTOR	Display on trucks (910 color)
	49-907	REFLECTOR	Display on vehicles
	49-427	REGISTER	Carry in vehicle
	49-456(1)	REGISTER	Operate MV not registered
	49-401A	REGISTER	Owner to register motor vehicle
	49-430	REGISTER	Renew registration
	49-673(3)	SAFETY RESTRAINT	Motor veh. oper. age 18 or older with unrestrained occupant under age 18
	49-673(3)	SAFETY RESTRAINT	Motor veh. operator/occupant age 18 or older
	49-673(4)	SAFETY RESTRAINT	Mtr. veh. oper. under age 18 - oper. or occupant under age 18 unrestrained
	49-672	SAFETY SEAT	Children 6 years and younger
*	49-1422	SCHOOL BUS	Fail to stop while (un)loading
*	36-1508(a)	SHOOTING	From or across public highway
	49-805	SIGNS	Unauthorized
	49-669	SNOWMOBILE	Operation on highway
	67-7102	SNOWMOBILE	Required registration numbers
	49-654(2)	SPEED	Excess of maximum limit
	49-656	SPEED	Posted bridge
	49-654(1)	SPEED	Reasonable and prudent - conditions/ hazards

	49-658	SPEED	School zone
	49-657	SPEED	Work zone
	49-948	TIRES	Studded snow tires
	49-809	TURNING	Be equipped with signal
	49-644(3)	TURNING	From wrong lane
	49-644(2)	TURNING	Improper left turn
	49-644(1)	TURNING	Improper right turn
	49-808	TURNING	Signal and with reasonable safety
	49-645	TURNING	Turning around
*	49-229	VEHICLE	Injure vehicle
	49-965	VEHICLE	Lowered or modified
*	49-230	VEHICLE	Tamper with vehicle
*	49-438	WEIGHT	Exceeding registration (if less than 4000 lbs. = infraction)
	49-612(3)	WINDSHIELD	Obstructed vision - frost, debris
	49-943(1)	WINDSHIELD	Obstructed vision - nontransparent material, signs
	49-612(2)	WINDSHIELD	View blocked by persons
	49-943(3)	WINDSHIELD	Wipers in working order
	49-944	WINDOWS	Tinted
	49-642	YIELD	From alley, driveway, other
	49-807(2)	YIELD	From stop sign
	49-807(3)	YIELD	From yield sign
	49-640	YIELD	Intersections
	49-641	YIELD	Left turns
	49-625	YIELD	To emergency vehicle
	49-702	YIELD	To pedestrian
	49-615	YIELD	To pedestrian or child
	49-624	YIELD	To stationary emergency vehicle displaying flashing lights
	49-632(2)	YIELD	When being passed

## **INFRACTION PENALTY SCHEDULE**

A person charged with infraction shall never be arrested. If the motorist refuses to sign the citation, there is an appropriate place on the uniform citation form for the officer to indicate that he has served the citation on the defendant - just like a civil service of process.

Idaho Infraction Rule 9(b) Fixed Penalty and Costs for Infraction: The entry of a judgment for an infraction under this rule shall order the defendant to pay a dollar amount for a fixed penalty and court costs in the following amounts:

<b>INFRACTION OFFENSE</b>	<b>FIXED PENALTY PLUS COURT COSTS</b>
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### **LICENSE PLATES/REGISTRATION**

Failing to surrender registration and license plate upon revocation or suspension. Section 49-456(5), Idaho Code. ....	\$101.00
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Failure to carry registration in vehicle (dismissed if registration is shown). Section 49-427, Idaho Code. ....	\$67.00
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Failure to display license plate. Section 49-428, Idaho Code. ....	\$67.00
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Fictitious display of license plates. Section 49-456(3), Idaho Code. ....	\$115.00
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Lending or permitting another to use registration or license plate. Section 49-456(4), Idaho Code. ....	\$115.00
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Operating vehicle without registration. Section 49-456(1), Idaho Code. ....	\$101.00
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Use of false or fictitious name in application for registration or concealing material facts. Section 49-456(6), Idaho Code. ....	\$156.50
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### **MOVING TRAFFIC**

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Other moving traffic infractions. ....	\$90.00
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Speeding in a school zone. Section 49-658, Idaho Code. ....	\$156.50
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Speeding in a construction zone. Section 49-657, Idaho Code. ....	\$106.50
Speeding traffic infractions.	
(a) 1 to 15 miles per hour above speed limit .....	\$90.00
(b) 16 or more miles per hour above speed limit. ....	\$155.00

**NON-MOVING TRAFFIC**

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Disability parking violations. Unauthorized disability parking, Section 49-213, Idaho Code, and unauthorized use of disability plate or placard, Section 49-410, Idaho Code. ....	\$141.50
Failure to redeem an abandoned vehicle. Section 49-1802, Idaho Code.....	\$217.00
Non-moving traffic infractions. ....	\$67.00
Operation of motor vehicle while operating mobile device – first offense, Section 49-1401A(4). Idaho Code. ....	\$131.50
Operation of motor vehicle while operating mobile device – second offense within three (3) years, Section 49-1401A(4). Idaho Code. ....	\$206.50
Operation of motor vehicle while operating mobile device – third or subsequent offense within three (3) years, Section 49-1401A(4). Idaho Code. ....	\$206.50
Other parking infractions and failure to pay parking infractions .....	\$46.50
Special parking infractions. Recreational parking. Section 67-7115, Idaho Code, and illegal parking in state park, Section 67-4237, Idaho Code.....	\$66.50

**OTHER**

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Other infractions. ....	\$72.00
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**PEDESTRIAN/BICYCLE**

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Pedestrian and bicycle infractions.....	\$61.50
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## **SAFETY RESTRAINTS/SAFETY SEATS**

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Failure to fasten safety restraint, operator/occupant age 18 or older. Section 49-673(3), Idaho Code. ....	\$10.00
(b) Failure to fasten safety restraint, operator 18 years or older with occupant(s) under 18 years of age failing to wear safety restraint. Section 49-673(3), Idaho Code. ....	\$10.00
(c) Failure to fasten safety restraint, operator under 18 years of age or operator under 18 who has occupant(s) under 18 years of age failing to wear safety restraint-single citation only. Section 49-673(4), Idaho Code. ....	\$66.50
Failure to restrain child in car safety seat. Section 49-672, Idaho Code.....	\$84.00

## **UNAUTHORIZED VEHICLE OPERATION**

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Driving without privileges: suspension pursuant. Sections 18-1502, 49-326(1)(g), 49-1204, and 49-1207. Idaho Code. ....	\$322.50
Expired license. Section 49-319, Idaho Code.....	\$101.00
Operating a motor vehicle without insurance. Sections 49-1229 and 49-1428, Idaho Code and failure to have certificate of insurance, Section 49-1232, Idaho Code. (First offense only, second or subsequent offense is a misdemeanor.) .....	\$131.50
Operating vehicle under out of state license while suspended. Section 49-329, Idaho Code. ....	\$111.00
No license or invalid license (Class D) first offense. Section 49-301, Idaho Code. ....	\$307.50
No license or invalid license (Class D) second offense within five years. Section 49-301, Idaho Code. ....	\$457.50
Operating a vehicle under out of state license while suspended. Section 49-329. Idaho Code. ....	\$156.50
Permitting any unauthorized person to operate vehicle. Section 49-333(2), Idaho Code. ....	\$111.00
Permitting unauthorized child under age 18 to operate vehicle. Section 49-333(1), Idaho Code. ....	\$111.00
Violating restricted license. Section 49-317, Idaho Code. ....	\$101.00

## MOVING VIOLATIONS POINTS CHART

The following Moving Violations Chart shows the section of Idaho Code that applies to each violation and lists the assessment of points for each type of moving violation.

Idaho Code	Convictions Reported by Court	Point Count
49-603	Starting Parked Vehicle	Two (2)
49-604	Limitations on Backing	One (1)
49-605	Driving Upon Sidewalk	Three (3)
49-606	Coasting Prohibited	Two (2)
49-612	Obstruction to Driver's View or Driving Mechanism	Three (3)
49-614	Stopping When Traffic Obstructed	One (1)
49-615	Drivers to Exercise Due Care	Three (3)
49-616	Driving Through Safety Zone Prohibited	Two (2)
49-619	Slow Moving Vehicles	Two (2)
49-623(4)	Authorized Emergency or Police Vehicles	Three (3)
49-624	Duty Upon Approaching a Stationary Police Vehicle or an Emergency Vehicle Displaying Flashing Lights	Three (3)
49-625	Operation of Vehicles on Approach of Authorized Emergency or Police Vehicles	Three (3)
49-626	Following Fire Apparatus Prohibited	Three (3)
49-627	Crossing Fire Hose	One (1)
49-630	Drive on Right Side of Roadway - Exceptions	Three (3)
49-631	Passing Vehicles Proceeding in Opposite Directions	Two (2)
49-632	Overtaking a Vehicle on Left	Three (3)
49-634	Limitations on Overtaking on the Left	Three (3)
49-635	Further Limitations on Driving on Left of Center of Highway	Three (3)
49-636	One-Way Highways	One (1)
49-637	Driving on Highways Laned for Traffic	One (1)
49-638	Following Too Closely	Three (3)
49-639	Turning Out of Slow Moving Vehicles	Two (2)
49-640	Vehicle Approaching or Entering Unmarked or Uncontrolled Intersection	Three (3)
49-641	Vehicle Turning Left	Three (3)
49-642	Vehicle Entering Highway	Three (3)
49-643	Highway Construction and Maintenance	Three (3)
49-644	Required Position and Method of Turning	Three (3)
49-645	Limitation on Turning Around	Three (3)

Idaho Code	Convictions Reported by Court	Point Count
49-648	Obedience to Signal Indicating Approach of Train	Four (4)
49-649	Compliance with Stopping Requirements at all Railroad Grade Crossings	Four (4)
49-650	Moving Heavy Equipment at Railroad Grade Crossings	Three (3)
49-651	Emerging from Alley, Driveway, or Building	Three (3)
49-652	School Safety Patrols - Failure to Obey Unlawful	Three (3)
49-654	Basic Rule and Maximum Speed Limits	Three (3) Four (4)
49-655	Minimum Speed Regulation	Three (3)
49-656	Special Speed Limitations	Three (3) Four (4)
49-657	Work Zone Speed Limits	Four (4)
49-658	School Zone Speed Limit	Three (3)
49-663	Restricted Use of Neighborhood Electric Vehicles on Highway	Two (2)
49-702	Pedestrian's Right-of-Way in Crosswalks	Three (3)
49-706	Blind and/or Hearing Impaired Pedestrian Has Right-of-Way	Three (3)
49-707	Pedestrian's Right-of-Way on Sidewalks	Three (3)
49-801	Obedience to and Required Traffic Control Devices	Three (3)
49-802	Traffic Control Signal Legend	Three (3)
49-804	Flashing Signals	Three (3)
49-806	Lane Use Control Signals	Three (3)
49-807(2)	Stop Signs	Three (3)
49-807(3)	Failure to Yield - Signed Intersections	Three (3)
49-808	Turning Movement and Required Signals	Three (3)
49-1302	Duty to Give Information in Accident Involving Damage to a Vehicle	Four (4)
49-1303	Duty Upon Striking Unattended Vehicle	Four (4)
49-1304	Duty upon Striking Fixtures Upon or Adjacent to a Highway	Four (4)
49-1401(3)	Inattentive Driving	Three (3)
49-1401A	Distracted Driving (second and subsequent offenses)	Three (3)
49-1419	Obedience to Traffic Direction	Two (2)
49-1421(1)	Driving on Divided Highways	One (1)
49-1421(2)	Restricted Access	One (1)
49-1422	Overtaking and Passing School Bus	Four (4)
49-1424	Racing on Public Highways	Four (4)



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