

**IDAHO PEACE OFFICER STANDARDS
AND TRAINING COUNCIL**

**CRIMINAL CODE
INDEX
WITH ELEMENTS**

Including:

Alcohol Beverage Statutes
Fish & Game Common Misdemeanor Violations
Infraction Penalty Schedule
Moving Violations Points Chart
Parks and Recreation Common Violations
State Brand Department Common Violations
Traffic Law Violation Reference List



Compiled and Distributed by:
Idaho Peace Officer Standards & Training

Effective July 1, 2014

CRIMINAL CODE INDEX

I.S.C.

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| Burglary | F 18-1401 |
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| <i>Every person, except landlord-tenant relationship, enters</i> | |
| <i>dwelling, apartment, outbuilding without permission of</i> | |
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COMPUTER CRIME

| | | |
|--|---|------------|
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CRIMINAL CONSPIRACY F/M 18-1701

Two or more persons conspire to commit any crime or offense, and one or more does any act in furtherance.

CRIMINAL GANG ENFORCEMENT ACT

| | | |
|--|---|---------|
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DEFINITION OF FELONY, MISDEMEANOR 18-111

AND INFRACTION

Felony - Punishable with death or imprisonment in state prison.

Infraction - Civil public offense, not constituting a crime, punishable only by penalty not exceeding \$300.00 and for which no incarceration may be imposed.

Misdemeanor - Every other crime is a misdemeanor.

DISORDERLY CONDUCT AND ASSEMBLY

Disturbing the Peace

- a) Maliciously and willfully disturbs the peace of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol, or uses vulgar, profane or indecent language within the presence or hearing of children, in a loud and boisterous manner. M 18-6409(1)
- b) Maliciously and willfully disturbs the dignity or reverential nature of any funeral, memorial service, funeral procession, burial ceremony or viewing of a deceased person..... M 18-6409(2)

¹Note: 18-3124 and 18-3127 are misdemeanors. When amounts exceed \$300.00, they are felonies.

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| SOLICITATION - CRIMINAL | F/M 18-2001 |
| <i>A person with purpose of promoting, facilitating its commission,</i> | |
| <i>solicits, importunes, commands, encourages or requests another to</i> | |
| <i>engage in conduct which constitutes a crime or an attempt or which</i> | |
| <i>establishes complicity in commission or attempted commission.</i> | |
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| TELECOMMUNICATION | |
| Intentional destruction of line or instrument..... | M 18-6810 |

I.S.C.

TELEPHONE

| | | |
|---|-----|----------|
| Annoying, intimidating, harassing or terrifying..... by false statements | M | 18-6711 |
| Definition of pen registers - trap and trace devices..... | | 18-6719 |
| False calls to 911 | M/F | 18-6711A |

THEFT

| | | |
|---|-----|---------------|
| Acquiring lost property..... | F/M | 18-2403(2)(c) |
| Altering/transferring or removing price tags | M | 18-4624 |
| Extortion | F/M | 18-2403(2)(e) |
| <i>By compelling or inducing another and by instilling a fear that if not delivered the actor or another will suffer physical injury, damaged property, falsely accuse someone of a crime, expose a secret loyalty, cause hatred or contempt, cause a strike or boycott, testify or provide false information, use or abuse of position of public servant. For specifics see section.</i> | | |
| False Promise..... | F/M | 18-2403(2)(d) |
| Grand theft..... | F | 18-2407(1) |
| <i>Value exceeds \$1000.00, public record, financial transaction, property taken from the person of another, by extortion, 1 or more firearms, livestock or other animal exceeding \$150.00 in value, or anhydrous ammonia.</i> | | |
| Interest in property..... | F/M | 18-2403(3) |
| Labor, services, or use of property..... | F/M | 18-2403(5)(a) |
| Petit theft | M | 18-2407(2) |
| Receiving or possessing stolen property | F/M | 18-2403(4) |
| Rented or leased vehicle | F/M | 18-2403(5)(b) |
| <i>Note: All embezzlements, false pretenses and misrepresentations fall within this statute.</i> | | |
| Stolen vehicle (possession) | F | 49-228 |
| Unlawful use theft detection shield device | M | 18-2411 |
| Willful concealment..... | M | 18-4626 |

TOBACCO OR ELECTRONIC CIGARETTES ACCESS BY MINORS

| | | |
|---|---|------------|
| Possess, receive, purchase, sell, distribute, use or consume..... | M | 39-5703(1) |
| Provide false identification or make false statement..... regarding age | M | 39-5703(2) |
| Sell or distribute..... | M | 39-5705 |
| Sell or distribute by means other than vendor assisted sales..... | M | 39-5706(1) |
| Sell or distribute electronic cigarettes from vending machine..... (on or after January 1, 2013) | M | 39-5706(3) |
| Sell or distribute from self-service displays | M | 39-5706(4) |
| Sell or distribute other than in sealed package | M | 39-5707(1) |
| <i>provided by manufacturer</i> | | |
| Sell or distribute tobacco from vending machine..... | M | 39-5706(2) |

| | | I.S.C. |
|---|-----|-------------------------|
| TRESPASS | M | 18-7008 |
| Criminal trespass | M | 18-7011 |
| Desecration of grave, cemetery..... | M | 18-7027 |
| Injury to crops | M | 18-7014 |
| Injury to dams, canals & other structures | F | 18-7019 |
| Malicious injury to property..... | F/M | 18-7001 |
| Removal of "No Trespassing" signs | M | 18-7011 |
| Terrorist control act | | 18-8102 |
| Trespass of privacy | M | 18-7006 |
| <i>Any person, upon the private property of another, who intentionally looks, peers or peeks in the door, window, or other transparent opening of any inhabited building or other structure located thereon, without visible or lawful purpose.</i> | | |
| Unlawful reentry of land after ouster..... | M | 18-3502 |
| VERIFICATION OF LAWFUL PRESENCE IN U.S. | F/M | 67-7903 |
| VIDEO VOYEURISM | F | 18-6609 |
| WARRANTS | | |
| Arrest | | 19-501 thru 19-519 |
| Search | | 19-4401 thru 19-4420 |
| WATER | | |
| Injury to ditches and appurtenances..... | M | 18-4306 |
| Interference with ditches, canals and reservoirs | M | 18-4301 |
| Interfering with headgates or cutting banks..... | M | 18-4305 |
| Poisoning - wells, food, medicine | F | 18-5501 |
| Wasting irrigation water..... | M | 18-4302 |
| Wrongful diversion..... | M | 18-4304 |
| WITNESSES | | |
| Intimidation of in criminal/civil proceeding..... | F/M | 18-2604 |

INFRACTION PENALTY SCHEDULE

(arranged alphabetically by category)

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:

| INFRACTION OFFENSE | TOTAL AMOUNT (Fixed Penalty Plus Court Costs) |
|--|---|
| <u>Fish & Game</u> | |
| (29) Fish and game violations made infractions by Section 36-1401 , Idaho Code.----- | \$72.00 |
| <u>License Plates/Registration</u> | |
| (19) Failing to surrender registration and license plate upon revocation or suspension. Section 49-456(5) , Idaho Code.----- | \$101.00 |
| (14) Failure to carry registration in vehicle (dismissed if registration is shown). Section 49-427 , Idaho Code.----- | \$67.00 |
| (15) Failure to display license plate. Section 49-428 , Idaho Code.- | \$67.00 |
| (17) Fictitious display of license plates. Section 49-456(3) , Idaho Code.----- | \$115.00 |
| (18) Lending or permitting another to use registration or license plate. Section 49-456(4) , Idaho Code.----- | \$115.00 |
| (16) Operating vehicle without registration. Section 49-456(1) , Idaho Code.----- | \$101.00 |
| (20) Use of false or fictitious name in application for registration or concealing material facts. Section 49-456(6) , Idaho Code.- | \$156.50 |
| <u>Moving Traffic</u> | |
| (5) Other moving traffic infractions.----- | \$90.00 |
| (7) Speeding in a school zone. Section 49-658 , Idaho Code.----- | \$156.50 |

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INFRACTION PENALTY SCHEDULE (CONTINUED)

| | |
|---|----------|
| (6) Speeding in a construction zone. Section 49-657 , Idaho Code.----- | \$106.50 |
| (4) 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

| | |
|--|----------|
| (25) 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 |
| (21) Failure to redeem an abandoned vehicle. Section 49-1802 , Idaho Code.----- | \$217.00 |
| (23) Non-moving traffic infractions.----- | \$67.00 |
| (26) Other parking infractions and failure to pay parking infractions unless otherwise provided by statute or ordinance.- | \$46.50 |
| (24) Special parking infractions. Recreational parking. Section 67-7115 , Idaho Code, and illegal parking in state park, Section 67-4237 , Idaho Code.----- | \$66.50 |
| (22) Texting while driving.----- | \$81.50 |

Other

| | |
|------------------------------|---------|
| (38) Other infractions.----- | \$72.00 |
|------------------------------|---------|

Parks & Recreation

| | |
|--|----------|
| (32) All other all-terrain vehicle and snowmobile infractions. Sections 67-7102 through 67-7112 , 67-7122 , 67-7125 , Idaho Code.----- | \$81.50 |
| (30) All-terrain vehicle and snowmobile infractions. Driving on highway. Section 67-7109 , Idaho Code.----- | \$156.50 |

INFRACTION PENALTY SCHEDULE (CONTINUED)

- (34) Failure to carry required equipment in watercraft. (IDAPA 26.01.30 Parks and Recreation) Sections **67-7002** and **67-7015**, Idaho Code.----- \$99.00
- (35) Improper waterskiing. Section **67-7024**, Idaho Code.----- \$99.00
- (31) Parks and recreation violations made infractions by Section **67-4223**, Idaho Code.----- \$72.00
- (33) Renting a watercraft without safety devices and safety decal. Section **67-7078**.----- \$81.50

Pedestrian/Bicycle

- (3) Pedestrian and bicycle infractions.----- \$61.50

Safety Restraints/Safety Seats

- (1) (a) 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
- (2) Failure to restrain child in car safety seat. Section **49-672**, Idaho Code.----- \$84.00

Smoking

- (36) Permitting smoking in public building or office. Section **39-5506**, Idaho Code.----- \$124.00
- (37) Refusing to extinguish tobacco product in public building or office. Section **39-5507**, Idaho Code.----- \$74.00

INFRACTION PENALTY SCHEDULE (CONTINUED)

Trucking

(28) Trucking overweight. Section **49-438**, Idaho Code, and Sections **49-1001**, **49-1002**, **49-1004**, **49-1005**, Idaho Code.

1-1000 pounds overweight.----- \$61.50

1001-2000 pounds overweight.----- \$71.50

2001-4000 pounds overweight.----- \$81.50

For multiple infractions see Section **49-1013(4)**, Idaho Code.

Unauthorized Vehicle Operation

(11) Expired license. Section **49-319**, Idaho Code.----- \$101.00

(27) 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

(13) Operating vehicle under out of state license while suspended. Section **49-329**, Idaho Code.----- \$156.50

(9) Permitting any unauthorized person to operate vehicle. Section **49-333(2)**, Idaho Code.----- \$111.00

(8) Permitting unauthorized child under age 18 to operate vehicle. Section **49-333(1)**, Idaho Code.----- \$111.00

(10) Renting vehicle to unauthorized driver or failing to inspect license. Section **49-334**, Idaho Code.----- \$111.00

(12) Violating restricted license. Section **49-317**, Idaho Code.----- \$101.00

TRAFFIC LAW VIOLATION REFERENCE LIST

| | |
|----------------------------------|--|
| * 49-1801(1).....ABANDONED | Abandoned vehicle on highway |
| * 49-1801(2).....ABANDONED | Abandoned vehicle on public or private property |
| 49-1802(3).....ABANDONED | Fail to redeem abandoned vehicle |
| * 49-1301.....ACCIDENT | Leaving scene - damage |
| * 49-1305.....ACCIDENT | Leaving scene - injury |
| # 18-8007.....ACCIDENT | Leaving scene - injury or death |
| * 49-1305.....ACCIDENT | Notify officers |
| * 49-1304.....ACCIDENT | Fail to notify upon striking fixtures on highway |
| * 49-1303.....ACCIDENT | Striking unattended vehicle |
| 49-666.....ATV | Helmet |
| 67-7122.....ATV | Off highway |
| * 23-1023.....BEER | Juvenile consuming, procurement |
| 49-723.....BICYCLES | Light and reflector (night) |
| 49-933.....BRAKES | Insufficient |
| * 49-1627(2).....DEALERS | Personal use with dealer plates |
| * 49-316.....DRIVER'S LICENSE | Carry on person |
| * 49-301(1).....DRIVER'S LICENSE | Failure to have current and valid |
| * 18-8001.....DRIVER'S LICENSE | Driving without privileges |
| 49-333(3).....DRIVER'S LICENSE | Employ unlicensed chauffeur |
| 49-319.....DRIVER'S LICENSE | Expired |
| ** 49-1428.....DRIVER'S LICENSE | Financial responsibility |
| * 49-331(2).....DRIVER'S LICENSE | Loaned to another (allowing) |
| * 49-320.....DRIVER'S LICENSE | Notify of change of address |
| * 49-331(1).....DRIVER'S LICENSE | Possess cancelled, fictitious or mutilated |
| 49-317.....DRIVER'S LICENSE | Restriction; glasses, daylight, etc. |
| 49-619.....DRIVING | Display emblem and speed for S.M.V. |
| 49-638.....DRIVING | Following too close |
| 49-604(1).....DRIVING | Improper, unsafe backing |
| * 49-1401(3).....DRIVING | Inattentive or careless |
| 49-635(1)(a)....DRIVING | Left of center on curve or hillcrest |
| 49-605.....DRIVING | No driving on sidewalks |
| 49-804.....DRIVING | Obey blinking light |
| 49-801.....DRIVING | Observe & obey traffic control light |
| 49-612.....DRIVING | Obstruction to driver's view |
| 49-333(1).....DRIVING | Permit unauthorized minor to drive |
| * 49-1424(1).....DRIVING | Racing |
| * 49-1401(1).....DRIVING | Reckless |
| * 49-1421.....DRIVING | Restricted access (cross-overs) |
| 49-655.....DRIVING | Slow vehicle impeding traffic |
| 49-603.....DRIVING | Start: pull out safely |

* Misdemeanors are identified with a single asterisk.

** A second or subsequent conviction is a misdemeanor.

Felonies are identified with a single pound sign.

Violations of Title 49, Chapters 3 and 4, are infractions with the following exceptions: 49-301 [except for 49-301(2)], 49-316, 49-331, and 49-332 remain misdemeanor violations.

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| | |
|------------------------------|---|
| 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 |
| 49-952.....FLAGS | Carry in vehicle |
| 49-953.....FLARES | Display on disabled vehicle |
| * 49-2202.....HAZ. MATERIALS | Permits required |
| * 18-3905.....HAZ. WASTE | Unlawful transportation |
| 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) |

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| | |
|--------------------------|--|
| 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 all-terrain vehicles |
| 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(1)(a)....PASSING | On hillcrest or curve |
| 49-633.....PASSING | On wrong side |
| 49-429.....PERMITS | Display permit |
| * 49-1004.....PERMITS | Overweight or oversize loads |
| 49-432(1).....PERMITS | Trip permit & display |
| * 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 |
| 49-422.....REGISTER | House trailers |
| 49-456(1).....REGISTER | Operate MV not registered |

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| | | |
|-------------------|------------------|--|
| 49-401A..... | REGISTER | Owner to register |
| 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 |
| * 33-1508..... | SCHOOL BUS | Operation of school bus |
| * 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) |
| * 49-1005..... | WEIGHT | Frost law - sizes, weights, speeds (if less than 4000 lbs. = infraction) |
| * 49-1001..... | WEIGHT | Gross load & axle wt. (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 |

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| | | |
|----------------|-------|---|
| 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 |

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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.

| Code | Violation Description | Points |
|-------------|---|---------------|
| 49-603 | Starting Parked Vehicle | 2 |
| 49-604 | Limitation on Backing | 1 |
| 49-605 | Driving Upon Sidewalk | 3 |
| 49-606 | Coasting Prohibited | 2 |
| 49-612 | Obstruction to Driver's View or Driving Mechanism | 3 |
| 49-614 | Stopping When Traffic Obstructed | 1 |
| 49-615 | Drivers to Exercise Due Care | 3 |
| 49-616 | Driving Through Safety Zone Prohibited | 2 |
| 49-619 | Slow Moving Vehicles | 2 |
| 49-623(4) | Authorized Emergency or Police Vehicles | 3 |
| 49-624 | Duty Upon Approaching Stationary Police Vehicle or Emergency Vehicle Displaying Flashing Lights | 3 |
| 49-625 | Operation of Vehicles on Approach of Authorized Emergency Police Vehicle | 3 |
| 49-626 | Following Fire Apparatus Prohibited | 3 |
| 49-627 | Crossing Fire Hose | 1 |
| 49-630 | Drive on Right Side of Roadway – Exceptions | 3 |
| 49-631 | Passing Vehicles Proceeding in Opposite Direction | 2 |

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| | | |
|--------|--|------|
| 49-632 | Overtaking a Vehicle on Left | 3 |
| 49-633 | When Passing on Right is Permitted | 2 |
| 49-634 | Limitations on Overtaking on the Left | 3 |
| 49-635 | Further Limitation on Driving on Left of Center of Highway | 3 |
| 49-636 | One-Way Highways | 1 |
| 49-637 | Driving on Highways Laned for Traffic | 1 |
| 49-638 | Following Too Closely | 3 |
| 49-639 | Turning Out of Slow Moving Vehicles | 2 |
| 49-640 | Vehicle Approaching or Entering Unmarked or Uncontrolled Intersection | 3 |
| 49-641 | Vehicle Turning Left | 3 |
| 49-642 | Vehicle Entering Highway | 3 |
| 49-643 | Highway Construction and Maintenance | 3 |
| 49-644 | Required Position and Method of Turning | 3 |
| 49-645 | Limitation on Turning Around | 3 |
| 49-648 | Obedience to Signal Indicating Approach of Train | 4 |
| 49-649 | Compliance with Stopping Requirements at all Railroad Grade Crossings | 4 |
| 49-650 | Moving Heavy Equipment at Railroad Grade Crossings | 3 |
| 49-651 | Emerging from Alley, Driveway, or Building | 3 |
| 49-654 | Basic Rule and Maximum Speed Limits/ CMV Failure to Slow Down at Railroad Grade Crossing | 3-4* |

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| | | |
|---------------|--|--------|
| 49-655 | Minimum Speed Regulations | 3 |
| 49-656 | Special Speed Limitations | 3-4* |
| 49-657 | Work Zone Speed Limit | 3 |
| 49-658 | School Zone Speed Limit | 3 |
| 49-663 | Restricted Use of Neighborhood Electric Vehicles on Highway | 2 |
| 49-673(3)&(4) | Safety Restraint Use | Exempt |
| 49-702 | Pedestrian's Right-of-Way in Crosswalk | 3 |
| 49-706 | Blind and/or Hearing Impaired Pedestrian Has Right-of-Way | 3 |
| 49-707 | Pedestrian's Right-of-Way on Sidewalks | 3 |
| 49-801 | Obedience to and Required Traffic Control Devices | 3 |
| 49-802 | Traffic Control Signal Legend | 3 |
| 49-804 | Flashing Signals | 3 |
| 49-806 | Lane Use Control Signals | 3 |
| 49-807(2) | Stop Signs | 3 |
| 49-807(3) | Failure to Yield - Signed Intersections | 3 |
| 49-808 | Turning Movement and Required Signals | 3 |
| 49-1302 | Duty to Give Information in Accident Involving Damage to a Vehicle | 4 |
| 49-1303 | Duty Upon Striking Unattended Vehicle | 4 |
| 49-1304 | Duty upon Striking Fixtures Upon or Adjacent to a Highway | 4 |
| 49-1401(3) | Inattentive Driving | 3 |

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| | | |
|------------|-----------------------------------|--------|
| 49-1401A | Texting While Driving | Exempt |
| 49-1419 | Obedience to Traffic Direction | 2 |
| 49-1421(1) | Driving on Divided Highways | 1 |
| 49-1421(2) | Restricted Access | 1 |
| 49-1422 | Overtaking and Passing School Bus | 4 |
| 49-1424 | Racing on Public Highways | 4 |

*1 to 15 miles per hour over the speed limit = 3 points. 16 or more miles per hour over the speed limit = 4 points.

Under the point system, the following actions may be taken:

| NUMBER OF POINTS | PENALTY |
|--------------------------------------|--------------------|
| 12 to 17 (in any 12 months) | 30-Day Suspension |
| 18 to 23 (in any 24 months) | 90-Day Suspension |
| 24 or more (in any 36 months) | 6-Month Suspension |

ALCOHOL BEVERAGE STATUTES

BEER

- 23-603.....Dispensing to person under 21 years of age
- 23-1024.....False representation of age
- 23-1012.....Hours of sale
- 23-1011A.....Officers may examine premises
- 23-1018.....Sale of keg beer

IDENTIFICATION

- 49-2446.....Fraudulent misrepresentation (ID card)
- 23-943.....Person under twenty-one (21) YOA loitering in bar/bar top or allowing minor to loiter in bar/bar top
- 23-943A.....Must present ID to officer when possessing, attempting to purchase, or consuming, or on a licensed premise
- 49-331.....Unlawful use of license (90-day suspension)
- 49-331.....Unlawful use or alteration of driver's license

LIQUOR

- 23-505(2).....Consume/possess open container (driver) - misdemeanor
- 23-505(2).....Consume/possess open container (passenger) - infraction
- 23-949.....Consumption, possession and attempt to purchase under 21 years of age (Liquor, Beer, or Wine)
- 23-603.....Dispensing to person under 21 years of age
- 23-928.....Gambling on licensed premise
- 23-927.....Hours of sale
- 23-930.....Officers may examine premises
- 23-610.....Possession unstamped liquor (2 quart limit)
- 23-943.....Underage (21 years of age) enter or loiter in a place (bar)
- 23-505(1).....Unlawful transportation/open container (driver)
- 23-616(2).....Use, possession, purchase or sale of alcohol without liquid device

OBSCENITY

- 23-614.....Prohibited Acts

WINE

- 23-1333.....Open wine in car
- 23-603.....Sell, give, deliver to person under 21 years of age

Alcohol Beverage Control - Common Violation Checklist

OFFICERS MAY INSPECT PREMISE – IC 23-930

Any law enforcement officer in the State of Idaho has the right, at any time, to examine a premise that has an alcohol beverage license. The purpose of the premise examination is to check for compliance of the laws, rules, regulations and local ordinances that pertain to licensed establishments.

OVER SERVICE - IC 23-615

Patrons displaying obvious, apparent or actual signs of intoxication should be stopped from further alcohol consumption by employees/bartenders.

During investigation and report writing, include the following:

- Document visible and all other signs of intoxication, get BAC if possible.
- Get statement from subject and anybody they are with at the bar.
- What time did they get to the bar?
- What time did they leave?
- What were they drinking?
- How many drinks?
- How did they pay?
- Get copies of receipts.
- What bartender served them?
- Did they drink anywhere else before or after?
- Identify bartender and get statement.
- Send reports to ABC for administrative action.

AFTER HOURS SERVICE/CONSUMPTION – BEER IC 23-1012, LIQUOR IC 23-927

Alcohol cannot be dispensed after 0100 hours. Cities/counties may extend this time by 1 hour, until 0200 hours. Check your local ordinances. Patrons then have 30 minutes to consume beverages served. After 30 minutes, open beverages have to be behind the bar and disposed of.

During investigation and report writing, include the following:

- Watch through windows for violations if possible prior to entry.
- The laws also apply to bar staff serving themselves.
- Get statement from subject and anybody they are with at the bar.
- Identify the type of alcoholic drink.
- Identify bartender and get statement.
- Photograph all evidence.
- Send reports to ABC for administrative action.

UNLOCKED LIQUOR CABINETS - IC 23-927

Open liquor containers must be locked by 0100 hours and can't be unlocked until 1000 hours. Cities/counties may extend this time by 1 hour, until 0200 hours. Check your local ordinances.

During investigation and report writing, include the following:

- Unsealed liquor bottles must be securely locked in a room or using a locking device, making them irremovable and secured.
- Watch through windows for violations if possible prior to entry.
- Identify the type of unlocked liquor bottles.
- Identify bartender and get statement.
- Photograph all evidence.
- Send reports to ABC for administrative action.

FAILURE TO DEFACE GOVERNMENT OR STATE STAMPS – IC 23-926

Immediately when empty, the employee/bartender shall deface the yellow ISLD stamp located on liquor bottles. The defacing can be completed by marker, pen, scratching middle of the stamp or other reasonable means.

During investigation and report writing, include the following:

- Ask bartender to see all empty liquor containers.
- Identify bartender and get statement.
- Photograph all evidence.
- Look for signs of illegal liquor re-pouring:
 - Multiple bottles of same liquor with broken seals; funnels; large ½ gallon or ¾ liter bottles in bar or dumpster; out-of place bottles in back rooms; worn bottle labels; drip marks on bottles.
- Send reports to ABC for administrative action.

SELLING/PROVIDING ALCOHOL TO A MINOR – IC 23-615

No person shall sell, dispense, give away or allow people under 21 YOA to consume any alcohol beverages.

** IC 23-1023 does not allow consumption in private residence.*

During investigation and report writing, include the following:

- Ask minor where they purchased or received the alcohol.
- Check minor's identification.
- Check minor for fake identification.
- Get statement from minor and anybody they are with.
- Interview clerk/bartender at establishment where alcohol came from.
- Get copies of receipts.
- Check surveillance video.
- Photograph all evidence.
- Send reports to ABC for administrative action.

SOURCE INVESTIGATION

Source Investigation is a tool used by ABC to find the source of alcoholic beverages. Source Investigation can be a valuable tool during many aspects of law enforcement including motor vehicle crashes; domestic violence; assaults/batteries; and underage parties. Licensees and other individuals can be held accountable for dispensing alcohol to certain individuals, such as minors and over-served patrons.

During investigation and report writing, include the following:

- Identify if alcohol has been consumed, or may have been consumed.
- Gather receipts, empty containers, boxes and other pertinent evidence.
- Identify all parties involved and get statements.
- Photograph all evidence.
- Contact your local ABC Detective ASAP for follow-up investigation and assistance.
 - ABC Source Investigation will include interviews; video surveillance and gathering financial records.
- Send reports to ABC for administrative action.

Please fax or mail all completed alcohol violation reports to Alcohol Beverage Control.

If sufficient evidence exists through reports and ABC follow-up investigation, administrative action will be taken against the licensee. Penalties start at 10 day alcohol license suspension or \$1,000 fine for a 1st offense. Mitigating or aggravating circumstances will also be taken into consideration for proposed penalties.

Contact your local ABC Detective for questions and assistance!
Alcohol Beverage Control Bureau
Idaho State Police
700 South Stratford Drive, Suite 115
Meridian, ID 83642
Phone: (208) 884-7060
Fax: (208) 884-7096

FISH AND GAME COMMON MISDEMEANOR VIOLATIONS

- 36-1101(a)..... Exceed bag limit for big game animals.
- 36-901..... Exceed bag limit for fish.
- 36-1102(a) Exceed bag limit for upland game birds.
- 36-1201(c) Failure to produce a valid license for inspection upon request.
- 36-1201(a) Failure to produce game or fish for inspection upon request.
- 36-901..... Fish during closed season.
- 36-401..... Fish, hunt, or trap without a valid license.
- 36-1201(c) Fish, hunt, or trap without a valid license on person.
- 36-1101(a)..... Hunt big game during closed season.
- 36-1102(a) Hunt game birds during closed season.
- 36-1101(b)6 Hunt with aid of artificial light.
- 36-502(b) Possession of wildlife unlawfully taken.
- 36-502(a)1 Possession or transportation of big game improperly tagged.
- 36-502(a)2 Possession or transportation of game or fish without a proxy statement.
- 36-405(c)1 Purchase or possession of a wrong class license. (Nonresident purchasing a resident license.)
- 36-1508(a) Shooting from or across a public highway.
- 36-405(c)2(B) Transfer license, tag or permit to another person.
- 36-1603(a) Trespassing on cultivated lands or in violation of warning signs.
- 36-1202(a) Wasteful destruction of game birds, game animals, or game fish.

PARKS and RECREATION COMMON VIOLATIONS

BOATING VIOLATIONS

- F 67-7035 Aggravated operation while under the influence
- I 67-7008 Fail to have certificate of number
- I 67-7015 Fail to have required safety equipment
- M 67-7027 Fail to report collisions, accidents, and casualties
- M 67-7016 Grossly negligent operation
- C 67-7037 Implied consent (BAC)
- M 67-7025 Interfere with other vessels or navigation
- I 67-7038 Muffler and noise restriction violations
- M 67-7017 Negligent operation
- M 67-7026 Operate in restricted areas
- M 67-7034 Operate watercraft while under the influence
- M 67-7033(3) Operate without privilege
- I 67-7019 Speeding

Please Confirm With Idaho Criminal Code Book

- I 67-7010 Unlawful operation of unnumbered vessels
- I 67-7024 Water-skiing violations

RECREATIONAL VEHICLES/PERMITS

- I 67-7112..... Fail to number ATV as required
- I 67-7125 Motorbikes/ATV-off highway noise abatement violation
- I 67-7122 Motorbikes/ATV-off highway number certificate sticker violation
- I 67-7115..... Winter recreational parking permit violation

SNOWMOBILE VIOLATIONS

- I 67-7111..... Fail notify of accident as required
- I 67-7110(2) Operate in negligent manner
- M 67-7114..... Operate while under the influence (includes all-terrain vehicles)
- I 67-7110(4) Operate without adequate braking device
- I 67-7110(5) Operate without adequate muffler
- I 67-7110(3) Operate without lights as required
- I 67-7102 Operate without required registration numbers
- I 67-7110(6) Operate without valid motor vehicle license
- I 67-7110(1) Speeding
- I 67-7109 Unlawful operation on highway, public roadway
- I 49-669 Unlawful operation on highways

STATE BRAND DEPARTMENT COMMON VIOLATIONS

- 25-2118.....Animals on open range - no duty to keep from highway.
- 25-1124.....Certificate or permit to be produced upon demand.
- 25-2306.....Claiming stray livestock.
- 25-2302.....Duty of sheriff or brand inspector (strays).
- 25-1171.....Impounding of vehicles used in transporting stolen livestock.
- 25-1172.....Impoundment of livestock if no satisfactory evidence of ownership.
- 25-1125.....Inspection of livestock in transit-impounding when certificate or permit erroneous.
- 25-1181.....Penalties.
- 25-1121.....Requirement for brand inspection - written permit in lieu of inspection.
- 25-2312.....Sale of strays by sheriff.
- 25-1105.....Sheriff/State Police/Port of Entry Officers are ex-officio brand inspectors.
- 25-2301.....Stray or estray defined.

**STATE OF IDAHO
COUNTIES**

| | | | | | |
|------------|-------------------------------------|-----------|-------------------------------------|-----------|------------------------------------|
| 1A | Ada - Boise | 4C | Cassia - Burley | 3L | Lewis - Nezperce |
| 2A | Adams - Council | 5C | Clark - Dubois | 4L | Lincoln - Shoshone |
| 1B | Bannock - Pocatello | 6C | Clearwater - Orofino | 1M | Madison - Rexburg |
| 2B | Bear Lake - Paris | 7C | Custer - Challis | 2M | Minidoka - Rupert |
| 3B | Benewah - St. Maries | E | Elmore - Mountain Home | N | Nez Perce - Lewiston |
| 4B | Bingham - Blackfoot | 1F | Franklin - Preston | 1O | Oneida - Malad |
| 5B | Blaine - Hailey | 2F | Fremont - St. Anthony | 2O | Owyhee - Murphy |
| 6B | Boise - Idaho City | 1G | Gem - Emmett | 1P | Payette - Payette |
| 7B | Bonner - Sandpoint | 2G | Gooding - Gooding | 2P | Power - American Falls |
| 8B | Bonneville - Idaho Falls | I | Idaho - Grangeville | S | Shoshone - Wallace |
| 9B | Boundary - Bonners Ferry | 1J | Jefferson - Rigby | 1T | Teton - Driggs |
| 10B | Butte - Arco | 2J | Jerome - Jerome | 2T | Twin Falls - Twin Falls |
| 1C | Camas - Fairfield | K | Kootenai - Coeur d'Alene | V | Valley - Cascade |
| 2C | Canyon - Caldwell | 1L | Latah - Moscow | W | Washington - Weiser |
| 3C | Caribou - Soda Springs | 2L | Lemhi - Salmon | | |

SOCIAL SECURITY CARD NUMBER BREAKDOWN

The SOCIAL SECURITY ACCOUNT NUMBER consists of three sets of digits which are separated. The first THREE digits are known as the AREA number; the SECOND two figures are the GROUP; and the last FOUR are the serial number.

THE FIRST THREE DIGITS ARE THE ONLY ONES OF CONCERN.

| | | | |
|----------|----------------|-----------|---------------------|
| 001-003 | New Hampshire | 486-500 | Missouri |
| 004-007 | Maine | 501-502 | North Dakota |
| 008-009 | Vermont | 503-504 | South Dakota |
| 010-034 | Massachusetts | 505-508 | Nebraska |
| 035-039 | Rhode Island | 509-515 | Kansas |
| 040-049 | Connecticut | 516-517 | Montana |
| 050-134 | New York | 518-519 | Idaho |
| 135-158 | New Jersey | 520 | Wyoming |
| 159-211 | Pennsylvania | 521-524 | Colorado |
| 212-220 | Maryland | 525 | New Mexico |
| 221-222 | Delaware | 526-527 | Arizona |
| 223-231 | Virginia | 528-529 | Utah |
| *232 | North Carolina | 530 | Nevada |
| *232-236 | West Virginia | 531-539 | Washington |
| 237-246 | North Carolina | 540-544 | Oregon |
| 247-251 | South Carolina | 545-573 | California |
| 252-260 | Georgia | 574 | Alaska |
| 261-267 | Florida | 575-576 | Hawaii |
| 268-302 | Ohio | 577-579 | Washington, D.C. |
| 303-317 | Indiana | **580 | Virgin Islands |
| 318-361 | Illinois | **580-584 | Puerto Rico |
| 362-386 | Michigan | 585 | New Mexico |
| 387-399 | Wisconsin | 586 | Pacific Islands |
| 400-407 | Kentucky | 587-588 | Mississippi |
| 408-415 | Tennessee | 589-595 | Florida |
| 416-424 | Alabama | 596-599 | Puerto Rico |
| 425-428 | Mississippi | 600-601 | Arizona |
| 429-432 | Arkansas | 602-626 | California |
| 433-439 | Louisiana | 627-645 | Texas |
| 440-448 | Oklahoma | 646-647 | Utah |
| 449-467 | Texas | 648-649 | New Mexico |
| 468-477 | Minnesota | 700-728 | Railroad Retirement |
| 478-485 | Iowa | | |

*232 could be either North Carolina or West Virginia.

**580 could be either the Virgin Islands or Puerto Rico.

2014

| July | | | | | | |
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| 27 | 28 | 29 | 30 | 31 | | |

| August | | | | | | |
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| November | | | | | | |
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| December | | | | | | |
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2015

| January | | | | | | |
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| February | | | | | | |
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| March | | | | | | |
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| April | | | | | | |
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| May | | | | | | |
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| June | | | | | | |
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