

TITLE 49
MOTOR VEHICLES

CHAPTER 15
TRAFFIC INFRACTIONS

49-1501. INFRACTION CITATION -- ISSUANCE. A peace officer or authorized employee of the Idaho transportation department may issue an Idaho uniform citation for any infraction violation of the provisions of chapters 3, 4 and 6 through 9 of this title, or any other section of this title for which an infraction penalty is specifically provided, in which he shall certify that he has reasonable grounds to believe and does believe, that the person cited committed the infraction contrary to law.

[49-1501, added 1988, ch. 265, sec. 368, p. 756; am. 1990, ch. 432, sec. 8, p. 1201; am. 1991, ch. 226, sec. 4, p. 544; am. 2000, ch. 327, sec. 5, p. 1105.]

49-1502. PROCEDURE FOR PROCESSING INFRACTION CITATIONS. (1) The procedure for processing an infraction citation and the trial thereon, if any, shall be the same as provided for the processing of a misdemeanor citation under rules promulgated by the supreme court, except there shall be no right to a trial by jury. An infraction is a civil public offense, but in order to insure the maximum protection of the laws to the citizens charged with having committed an infraction, the burden of proof and the rules of evidence applied to an infraction proceeding shall be those provided in a criminal trial.

(2) In the event the defendant of an infraction citation admits the offense, pays the penalty prescribed in the rules of the supreme court pursuant to section [49-1503](#)(2), Idaho Code, or is found to have committed the infraction after trial before the court, a judgment shall be entered and reported to the department within ten (10) days of entry of the judgment.

[49-1502, added 1988, ch. 265, sec. 369, p. 756.]

49-1503. PENALTIES FOR VIOLATIONS OF STATUTES AND ORDINANCES. (1) No local authority may, by ordinance, regulation or otherwise make any act a misdemeanor which, but for that ordinance or regulation, would constitute an infraction under any provision of this chapter and all such acts made a misdemeanor or for which a misdemeanor penalty has been established by any local authority through ordinance, regulation or otherwise are hereby declared to be infractions as defined in section [49-110](#), Idaho Code.

(2) The penalty for an infraction citation and the judgment entered for the commission of an infraction shall be the amount provided in section [18-113A](#), Idaho Code.

[49-1503, added 1988, ch. 265, sec. 370, p. 756; am. 2014, ch. 236, sec. 5, p. 599.]

49-1504. APPEALS -- PROCEDURES. (1) Any person found to have committed an infraction after a hearing by a court may appeal the findings to the district court in the same manner prescribed by law and rule for any criminal appeal from the magistrate's division of the district court.

(2) An appeal under this section shall not operate to stay the reporting requirements of section [49-1502](#) (2), Idaho Code.

[49-1504, added 1988, ch. 265, sec. 371, p. 757.]

49-1506. PROVISIONS UNIFORM THROUGHOUT STATE. The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions.

[49-1506, added 1988, ch. 265, sec. 373, p. 758.]