

Idaho's Violation Point System

Convictions

The Idaho Transportation Department's Driver Services Section receives records for moving violations that occur both in the state of Idaho and in other states plus Canada. Each minor moving violation receives a point system value from one to four points, depending on the seriousness of the violation. Convictions and points assessed are entered on each driver's record and points are maintained for three (3) years after the conviction date.

Warning Letters

As a courtesy, drivers will be notified by a warning letter when they accumulate eight (8) to eleven (11) points in a twelve-month period, fourteen (14) to seventeen (17) points in a twenty-four month period, and twenty (20) to twenty-three (23) points in a thirty-six month period. When drivers accumulate this many points, they risk a driver's license suspension.

Defensive Driving Course (DDC)

Once every three (3) years drivers may reduce their point total by three points if they complete an approved defensive driving course (DDC). The course must be taken before a suspension for accumulation of points takes place. A point reduction can only be applied on an Idaho driver's license record. A list of Defensive Driving Course providers may be found at DefensiveDriving.html.

Traffic Safety Education Course (TSC)

Once every three (3) years drivers may reduce their total point accumulation by completing a city sponsored Traffic Safety Education Course (TSC). This course must be offered to and accepted by the driver at roadside at the time of citation. Upon completion of the course it will remove the number of points associated with the citation from the driver's record. Not all cities will opt to have such a program and, for those that do, the course is offered at the discretion of the law enforcement officer at the time of the stop.

NOTE: A driver is only allowed one point reduction on their driving record within a 3-year period regardless of what type of course is completed. Completion of a DDC or TSC **DOES NOT REMOVE** convictions from the driving record. The completion of a DDC or TSC will have no effect on any CDL disqualifying action.

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	3

	flashing lights	
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
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*
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
49-1401A	Texting while driving	Exempt
46-1419	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 department may take the following actions against you:

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

Reasons for Suspension of Driving Privileges

Judges and the Idaho Transportation Department are authorized under state statute to suspend, disqualify, deny, cancel, refuse, or revoke the license of drivers convicted of breaking certain laws, no matter what the driver's point-system count. Those violations include:

- Driving while under the influence of alcohol or other drugs. 18-8004
- Using a motor vehicle to commit a felony. 49-325(1)(b)
- Leaving the scene of an accident resulting in injury or death. 49-1301
- Leaving the scene of an accident in which you were involved, when the accident caused property damage. 49-1301
- Making false statements, oral or written, to the Transportation Department while under oath. 18-5413
- Reckless driving. 49-1401
- Conviction or action in another state for an offense that, if committed in Idaho, would be grounds for suspension. 49-326
- Driving with a suspended license (driving without privileges). 18-8001
- Failing to pay a judgment for damages in an accident. 49-1204
- Administrative license suspension (effective 1-1-98, suspension for failing a breath, blood, or urine test when tested for DUI). 18-8002A
- Refusal to Submit to an evidentiary test for DUI. 18-8002
- Failing to pay a fine for conviction on an "infraction" charge. (Infractions are a step below misdemeanors and include such minor violations as seat belt tickets.) 49-1505
- Fleeing from or eluding a peace officer. 49-1404
- Unlawful use of a driver's license or identification card. 49-331, 49-2446
- Failure to carry motor vehicle insurance. 49-1232, 49-1229, 49-1428
- Alcohol-age violation (possession, use, or procurement). 18-1502
- Violation of restriction. 49-317
- Possession of marijuana or drug paraphernalia. 18-1502(c), 37-2734(A)
- School districts may order the Idaho Transportation Department to suspend the driver's license and privileges of a minor who fails to attend school or does not comply with school requirements. 49-303A
- Any court or the Department of Health and Welfare may order the Idaho Transportation Department to suspend the driver license and privileges of any person who fails to pay child support, fails to comply with visitation rights, or fails to comply with a subpoena for a paternity suit or child support proceeding. 7-1412

Restricted Driving Permits (Non-Commercial)

If your Idaho license is suspended by the department, you may qualify for a restricted driving permit allowing you to drive to and from work, medical treatments, etc. You may apply for a restricted driving permit through the Idaho Transportation Department. If you have been convicted and/or suspended for driving under the influence of alcohol or drugs, driving without privileges, or any other court suspensions, you must apply to the court in which you were convicted. Exception: If you are a licensed Idaho driver and are convicted in an out-of-state court, you must apply to the Idaho Transportation Department. A

restricted driving permit issued by the Department or the court does not allow for commercial motor vehicle (CMV) operation.

Restricted Permit Requirements:

- If you are eligible for a permit for work purposes, you will be required to complete a work verification form. This form identifies your occupation; days and hours you must drive; counties and states in which you must drive; reasons you must drive; and availability of public transportation.
- If you need to drive for medical reasons, upon determination of your eligibility you will need to submit a letter from your doctor describing your need for treatment.
- All applicants must provide, depending on suspension requirements, either a valid Certificate of Liability Insurance Card or have their insurance company provide an SR22 certificate (proof of financial responsibility) to the Idaho Transportation Department.
- Pay all applicable reinstatement fees and the \$60.00 Restricted Driving Permit fee.
- Your driving status must be clear in all other 49 states.

Getting Your License Back

When your suspension or revocation ends, you may get your license back by applying to the Idaho Transportation Department in Boise and paying a reinstatement fee of \$25.00 to \$285.00 depending on the nature of the suspension. If your license was suspended for certain serious offenses, e.g. reckless driving or driving under the influence, you must also provide proof for three years that you are able to meet financial obligations arising from any accident. The usual method of proof is a certified statement of liability insurance coverage from your insurer (an SR-22 certificate). For information on other options, contact the Idaho Transportation Department in Boise at (208) 334-8736.

Driver's License Compact

Idaho has been a member of the Driver License Compact since March 19, 1963. Membership is a major step necessary to maximize law enforcement efforts against drunk drivers and other serious traffic offenders. Serious offenses such as drunk driving, vehicle manslaughter, reckless driving, etc., are no less serious when committed in another jurisdiction than when committed in the driver's home state. It is the policy of each member state to promote compliance with the laws, ordinances, and administrative actions regarding the operation of motor vehicles by drivers in states which are members of the compact. Included in the compact are provisions which allow:

- Member states to report actions on out-of-state drivers to their licensing state,
- Home states to take the same action on violations reported to them by other member states as if the violation occurred in the home state, and
- Authority to deny issuance of a driver's license if there is a suspension in another state.

Current Driver Compact Member States

Alabama	Nebraska
Alaska	Nevada
Arizona	New Hampshire
Arkansas	New Jersey
California	New Mexico
Colorado	New York
Connecticut	North Carolina
Delaware	North Dakota
Dist. of Columbia	Ohio
Florida	Oklahoma

Hawaii	Oregon
Idaho	Pennsylvania
Illinois	Rhode Island
Indiana	South Carolina
Iowa	South Dakota
Kansas	Texas
Louisiana	Utah
Maine	Vermont
Maryland	Virginia
Minnesota	Washington
Mississippi	West Virginia
Missouri	Wyoming
Montana	

Non-Resident Violator Compact

The 1991 Idaho Legislature authorized Idaho's entry into the 1977 interstate Non-Resident Violator Compact as of July 1, 1992. Idaho is the 42nd state to become a member of the NRVC, effective 10-14-92. The compact is an agreement among member states which simplifies the processing of citations issued to out-of-state traffic offenders.

The law provides for the suspension of driver's licenses in the home states of traffic violators who fail to comply with the terms of their citations.

Some of the benefits of the Non-Resident Violator Compact are:

- In many instances it allows non-resident motorists to be released on their own recognizance after the issuance of a citation,
- It allows police officers to immediately resume their normal duties, and
- In some cases it eliminates the need to appear in court.

License Suspension Procedures

If residents of NRVC member states fail to comply with the terms of their citations, their driving privileges may be suspended by their home state until the citation requirements have been met.

Not all offenses are covered under the NRVC. If the specific violation drivers are cited for does not come under the compact, and if they do not comply with the terms of their citations, they may still have their driving privileges suspended by the state of Idaho under Idaho's infraction law.

NOTE: If the driver's home state is not a member of the NRVC, his or her driving privileges may still be suspended for non-compliance by the state of Idaho under Idaho's infraction law.

Current NRVC Compact Member States

Alabama	Nebraska
Arizona	Nevada
Arkansas	New Hampshire
Colorado	New Jersey
Connecticut	New Mexico
Delaware	New York
Dist. of Columbia	North Carolina
Florida	North Dakota
Georgia	Ohio

Hawaii	Oklahoma
Idaho	Pennsylvania
Illinois	Rhode Island
Indiana	South Carolina
Iowa	South Dakota
Kansas	Tennessee
Kentucky	Texas
Louisiana	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	Washington
Minnesota	West Virginia
Mississippi	Wyoming
Missouri	

For additional DMV information, contact Driver Services via e-mail at: driverrecords@itd.idaho.gov