

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO)
INFRACTION RULES)
_____)

ORDER

The Court has reviewed HB 599 of the 2018 legislative session that was signed into law effective July 1, 2018, and the resulting recommendation to amend the Infraction Rules. Having fully considered the recommendation,

NOW, THEREFORE, IT IS HEREBY ORDERED that Idaho Infraction Rules, as they appear in the volume published by the Idaho Code Commission, are amended as follows:

1. Rule 6 is amended as follows:

Rule 6. Appearance of defendant – Admission of citation by mail – Answer of a defendant – Trial date notice or continuance notice.

(e) **Trial Date Notice or Continuance Notice:** Whenever a defendant is given a trial date setting or a continuance at or after the defendant's first appearance, such notice shall be given by a written notice delivered to the defendant in substantially the following form:

(1) **Trial Date Notice:**

STATE OF IDAHO)
)
Plaintiff,)
vs.) TRIAL DATE NOTICE
)
_____)
Defendant.)
)
DOB: _____)
DL OR SSN: _____ (State) _____)

NOTICE IS HEREBY GIVEN to the above Defendant that trial before the court has been set for the charge against you at _____ o'clock __.M. on the ____ day of _____, 20__, in the courtroom of the above court.

THIS CHARGE IS AN INFRACTION – YOU ARE HEREBY NOTIFIED that if you do not appear in court at said time and place for trial, judgment will be entered against you for the infraction violation in the sum of \$. In addition, a copy of the judgment will be forwarded to the Idaho Department of Transportation which may count as driver violation points against you, or be forwarded to your home state pursuant to the Interstate Nonresident Violator Compact.

~~IF YOU THEREAFTER FAIL TO PAY THE TOTAL AMOUNT DUE, YOUR DRIVER'S LICENSE MAY ALSO BE SUSPENDED IF THIS IS A TRAFFIC INFRACTION.~~

(2) Continuance Notice:

		[Court Heading]
STATE OF IDAHO)	
)	
Plaintiff,)	CONTINUANCE NOTICE
vs.)	
_____)	
Defendant.)	
)	
DOB: _____)	
DL OR SSN: _____ (State) __)	

NOTICE IS HEREBY GIVEN to the above Defendant that proceedings on the charge against you have been continued until _____ o'clock __.M. on the ____ day of _____, 20__, in the courtroom of the above court.

THIS CHARGE IS AN INFRACTION – YOU ARE HEREBY NOTIFIED that if you do not appear in court at said time and place for trial, judgment will be entered against you for the infraction violation in the sum of \$. In addition, a copy of the judgment will be forwarded to the Idaho Department of Transportation which may count as driver violation points against you, or be forwarded to your home state pursuant to the Interstate Nonresident Violator Compact.

~~IF YOU THEREAFTER FAIL TO PAY THE TOTAL AMOUNT DUE, YOUR DRIVER'S LICENSE MAY ALSO BE SUSPENDED IF THIS IS A TRAFFIC INFRACTION.~~

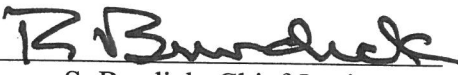
IT IS FURTHER ORDERED, that this order and these amendments shall be effective the 1st day of July, 2018.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Infraction Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 30th day of May, 2018.

By Order of the Supreme Court

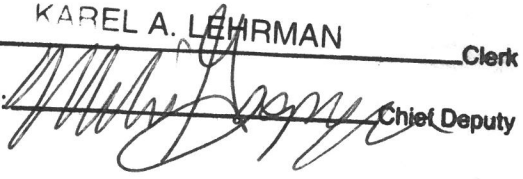

Roger S. Burdick, Chief Justice

ATTEST:
Clerk



I, Karel A. Lehrman, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
certify that the above is a true and correct copy of
the Order
entered in the above entitled cause and now on
record in my office.

WITNESS my hand and the Seal of this Court 5-31-18

KAREL A. LEHRMAN Clerk
By:  Chief Deputy