

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO)
INFRACTION RULE 9(b))
_____)

ORDER

The Court has been notified an error was found in the recent Infraction Penalty Schedule, and a request to revise the Infraction Penalty Schedule has been made. Having fully considered the request,

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 9(b) is amended to read as follows:

Rule 9. Judgment – Fixed penalty plus court costs for infractions-- Withheld judgment and suspended penalties prohibited—Deferred payment agreements.

(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:

<u>INFRACTION OFFENSE</u>	<u>TOTAL AMOUNT</u> <u>(Fixed Penalty Plus Court costs)</u>
(1)(a) Failure to fasten safety restraint, operator/occupant age 18 or older, Section 49-673(3), Idaho Code. (Fixed penalty \$10.00, \$5.00 of which is to be sent to State's Catastrophic Health Care Fund).	\$10.00

~~(33) All terrain vehicle and snowmobile infractions. Driving on highway. Section 67-7109, Idaho Code. (Fixed penalty \$100.00, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee~~

- \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$156.50
- (34) Parks and recreation violations made infractions by Section 67-4223, Idaho Code. (Fixed penalty \$15.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$72.00
- (35) All other all-terrain vehicle and snowmobile infractions. Sections 67-7102 through 67-7112, 67-7122, 67-7125, Idaho Code. (Fixed penalty \$25.00, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$81.50
- (33) All-terrain vehicle and snowmobile infractions. Sections 67-7102 through 67-7112, 67-7122, 67-7125, Idaho Code. (Fixed penalty \$100.00, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$156.50
- (34) Parks and recreation violations made infractions by Section 67-4223, Idaho Code. (Fixed penalty \$15.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$72.00
- (35) Reserved.
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- (51) Other infractions. (Fixed penalty \$15.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$15.00, court technology fund fee \$10.00, and emergency surcharge fee \$10.00). _____ \$72.00

IT IS FURTHER ORDERED, that this order and these amendments shall be effective immediately.

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 23 day of July, 2018.

By Order of the Supreme Court

R. Burdick
Roger S. Burdick, Chief Justice

ATTEST: Karel A. Lehrman
Clerk

I, Karel A. Lehrman, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Order 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 7-23-18
Karel A. Lehrman, Clerk

By [Signature] Deputy