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**IDAPA 39  
TITLE 02  
Chapter 71**

**39.02.71 - RULES GOVERNING DRIVERS LICENSE  
VIOLATION POINT COUNT SYSTEM**

**000. LEGAL AUTHORITY.**

Under authority of Sections 49-201 and 49-326, Idaho Code, the Idaho Transportation Board adopts the following rule for Violation Point Count System for drivers licensed in Idaho. (7-20-89)

**001. TITLE AND SCOPE.**

It is the purpose of this rule to establish minimum standards in determining the violation point count system for various moving traffic violations, and also give the department authority to suspend or revoke drivers licenses based on violation points. (7-20-89)

**002. -- 099. (RESERVED).**

**100. VIOLATION POINT COUNT SYSTEM.**

01. Points for Moving Traffic Violations. The Idaho Code authorizes the Department to establish a violation point count system for drivers convicted of various moving traffic violations occurring either within the State of Idaho, or outside the State of Idaho. Therefore, a schedule of violation points for moving traffic violations has been established. Moving traffic violations are violations that occur while operating a motor vehicle. (7-20-89)

02. Violation Point Count List. The following violation point count list includes all moving violations in the Idaho Code, and the appropriate sections. Convictions of moving violations not herein listed which are violations of a state law or municipal ordinance will receive three (3) violation points, except those for which mandatory suspension/revocation is required by statute. (7-20-89)

03. Points Assessed. Each moving traffic conviction shall be assessed from one (1) point for less serious violations to a maximum of four (4) points for more serious violations. The degree of seriousness of moving traffic violations has been determined by considering the possibility of bodily injury or property damage resulting from such violation. (7-20-89)

04. Dual Violation. In cases where the driver is convicted of more than one (1) violation arising from one (1) occasion of arrest or citation, only one (1) conviction will be counted and assessed points against the driver's record. The conviction counted will be counted with the greater amount of points. (7-20-89)

05. Speeding Violation. Drivers convicted of traveling sixteen (16) miles per hour or more over the posted maximum speed limit will receive four (4) points. Driving convictions of IDAPA 39.02.71 other speeding violations will receive three (3) points. except the following speeding violations shall have no points assessed: (7-20-89)

a. Rural Interstate. Traveling between sixty-five (65) miles per hour and seventy (70) miles per hour on sections of the interstate highway system, as defined by Section 40-110(7), Idaho Code, which are posted at sixty-five (65) miles per hour. (7-20-89)

b. Urban Interstate. Traveling between fifty-five (55) miles per hour and not exceeding seventy (70) miles per hour on sections of the interstate highway system, as defined by Section 40-110(7), Idaho Code, which are posted at fifty-five (55) miles per hour. (7-20-89)

c. State Highways. Traveling between fifty-five (55) miles per hour and not exceeding the prior posted speed limit on any state highway as defined by Section 40-120(4), Idaho Code, which is posted at fifty-five (55) miles per hour. Prior posted speed limit shall mean the posted speed limit in effect at the nearest milepost on the state highway prior to January 2, 1974. (7-20-89)

**101. -- 199. (RESERVED).**

**200. LIST OF MOVING TRAFFIC CONVICTIONS AND/OR VIOLATIONS POINT COUNT.**

<b>Idaho Code</b>	<b>Convictions Reported By Court</b>	<b>Point Count</b>
49-801	OBEDIENCE TO AND REQUIRED TRAFFIC CONTROL DEVICES	three (3)
49-802	TRAFFIC-CONTROL SIGNAL LEGEND	three (3)
49-804	FLASHING SIGNALS	three (3)
49-630	DRIVE ON RIGHT SIDE OF ROADWAY - EXCEPTIONS	three (3)
49-631	PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS	two (2)
49-632	OVERTAKING A VEHICLE ON THE LEFT	three (3)
49-633	WHEN PASSING ON THE RIGHT IS PERMITTED	two (2)
49-634	LIMITATIONS ON OVERTAKING ON THE LEFT	three (3)
49-635	FURTHER LIMITATIONS ON DRIVING ON LEFT OF CENTER OF HIGHWAY	three (3)
49-202(22)	NO PASSING ZONES	four (4)
49-636	ONE-WAY HIGHWAYS	one (1)
49-637	DRIVING ON HIGHWAYS LANED FOR TRAFFIC	one (1)
49-638	FOLLOWING TOO CLOSELY	three (3)
49-640	VEHICLE APPROACHING OR ENTERING INTERSECTION	three (3)
49-641	VEHICLE TURNING LEFT	three (3)
49-807	STOP SIGNS AND YIELD SIGNS	three (3)
49-642	VEHICLE ENTERING HIGHWAY	three (3)
49-625	OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY OR POLICE VEHICLES	three (3)
49-644	REQUIRED POSITION AND METHOD OF TURNING	three (3)
49-645	LIMITATIONS ON TURNING AROUND	three (3)
49-603	STARTING PARKED VEHICLE	two (2)
49-808	TURNING MOVEMENTS AND REQUIRED SIGNALS	three (3)
49-648	OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN	four (4)
49-649	COMPLIANCE WITH STOPPING REQUIREMENT AT ALL RAILROAD GRADE CROSSING	four (4)
49-651	EMERGING FROM ALLEY, DRIVEWAY OR BUILDING	three (3)

<b>Idaho Code</b>	<b>Convictions Reported By Court</b>	<b>Point Count</b>
49-654	BASIC RULE AND MAXIMUM SPEED LIMITS	three (3) four (4)
49-655	MINIMUM SPEED REGULATION	three (3)
49-656	SPECIAL SPEED LIMITATIONS	three (3) four (4)
49-604	LIMITATIONS ON BACKING	one (1)
49-702	PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALKS	three (3)
49-615	DRIVERS TO EXERCISE DUE CARE	three (3)
49-616	DRIVING THROUGH SAFETY ZONE PROHIBITED	two (2)
49-1302	DUTY TO GIVE INFORMATION IN ACCIDENT INVOLVING DAMAGE TO A VEHICLE	four (4)
49-1303	DUTY UPON STRIKING UNATTENDED VEHICLE	four (4)
49-1304	DUTY UPON STRIKING FIXTURES UPON OR ADJACENT TO A HIGHWAY	four (4)
49-1401(3)	INATTENTIVE DRIVING	three (3)
49-1419	OBEDIENCE TO TRAFFIC DIRECTION	two (2)
49-1421(1)	DRIVING ON DIVIDED HIGHWAYS	one (1)
49-1421(2)	RESTRICTED ACCESS	one (1)
49-1422	OVERTAKING AND PASSING SCHOOL BUS	four (4)
49-1424	RACING ON PUBLIC HIGHWAYS	four (4)
49-1424	EXHIBITION OF SPEED	four (4)
49-1424	EXCESSIVE ACCELERATION	four (4)

**201. -- 299. (RESERVED).**

**300. SUSPENSION OF LICENSE.**

01. Twelve (12) Points. When a driver accumulates twelve (12) or more points in any twelve (12) month period of time, the suspension period shall be for thirty (30) days. (7-20-89)

02. Eighteen (18) Points. When a driver accumulates eighteen (18) or more points within any twenty-four (24) month period of time, the suspension period shall be for ninety (90) days. (7-20-89)

03. Twenty-four (24) Points. When a driver accumulates twenty-four (24) or more points within any thirty-six (36) month period of time, the suspension period shall be for six (6) months. (7-20-89)

**301. -- 999. (RESERVED).**