# I.I.R. 2. Definitions

Idaho Infraction Rule 2. Definitions.

As used in these rules, unless the context clearly requires otherwise:

(a) "Citable offense" means any infraction triable by a magistrate under the law and rules of the Supreme Court.

(b) "Uniform citation" or "citation" means the Idaho Uniform Citation in the form prescribed by these rules.

(c) "Court" means any tribunal with jurisdiction to hear and determine infraction citations or complaints and the magistrate or judge thereof.

(d) "Magistrate" or "judge" includes any officer authorized by law to sit as a court with jurisdiction to hear and determine citable offenses as defined by these rules.

(e) "Clerk" or "clerk of the court" includes any person appointed under Rule 12 to accept answers to infraction citations or complaints, receive payment of judgments for penalties, sign deferred payment agreements with defendants on behalf of the court, and perform other duties assigned to the clerk by these rules.

(f) "Infraction" means any public offense declared to be an infraction by state statute.

(g) "Police officer" or "peace officer" includes a member of the Idaho State Police, a sheriff or deputy sheriff, prosecuting attorney or deputy prosecuting attorney, a city policeman or marshal, or constable or any other officer duly authorized to enforce municipal, county, or state laws.

(h) "Moving traffic infraction" means any infraction offense involving a vehicle or motorized cycle for which driver violation points are assessed under Section 49-326, Idaho Code.

(i) "Non-moving traffic infraction" means any infraction offense involving a vehicle or motorized cycle for which there are no driver violation points assessed under Section 49-326, Idaho Code.

(j) "Penalty" means the fixed penalty exclusive of court costs assessed under these rules for an

infraction violation.

(Adopted March 23, 1983, effective July 1, 1983; amended March 21, 2007, effective July 1, 2007.)

**Source URL:** http://isc.idaho.gov/iir2