

SUMMARY STATEMENT

State v. Van Zanten, Docket No. 48808

Kevin James Van Zanten appealed his judgment of conviction for felony possession of methamphetamine and misdemeanor driving under the influence. Van Zanten argued the district court erred in denying his motion to suppress evidence for an unlawful stop of the commercial vehicle he was driving. The stop was based, according to Van Zanten, on statutes the Idaho State Police adopted that unconstitutionally delegated legislative power. The Idaho Supreme Court affirmed Van Zanten's judgment of conviction. In doing so, the Court declined to consider whether Idaho Code section 67-2901A or section 44-206 are an unconstitutional delegation of legislative power, concluding instead that the Idaho State Police had independent reasonable suspicion to stop Van Zanten without reliance on either statute.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******