

## **I.M.C.R. 9.1. Suspension of Driver's License Upon Conviction of Offense Authorizing or Requiring Suspension of License - Suspension Upon Plea or Finding of Guilty of Offense - Notice of Increased Penalty on Subsequent Violations - Temporary Restricted License**

Idaho Misdemeanor Criminal Rule 9.1. Suspension of Driver's License Upon Conviction of Offense Authorizing or Requiring Suspension of License - Suspension Upon Plea or Finding of Guilty of Offense - Notice of Increased Penalty on Subsequent Violations - Temporary Restricted License.

(a) Suspension of Driving Privileges. The court shall include in a judgment of conviction and sentence the suspension of driving privileges and driver's license which is part of the sentence under a statute of the state. If the statute authorizes or requires the court to suspend driving privileges and driver's license by reason of a plea of guilty or finding of guilty of an offense, the court shall adjudicate the period of suspension in an order of suspension.

(b) Order of Suspension. Whenever the court suspends driving privileges and driver's license by reason of a plea of guilty or a finding of guilty to an offense, the court shall suspend the driving privileges by an order. A copy of the order shall be transmitted to the Department of Transportation and a copy served on the defendant by personal delivery or by mailing to the address indicated on the driver's license or other address furnished by the defendant. The suspension order shall be in substantially the following form:

[Click here \[1\]](#) for form.

(c) Notification of penalties for subsequent violations. After plea or finding of guilty on an offense in violation of Section 18-8004, Idaho Code, the court shall at or before the time of sentencing or granting a withheld judgment deliver to the defendant a written notice advising the defendant as to the penalties that may be imposed for subsequent violations of that statute. The notice shall be signed by the defendant and retained by the court, a copy shall be mailed to the prosecuting attorney and a copy shall be delivered to the defendant which shall be in substantially the following form:

[Click here \[2\]](#) for form.

(d) Temporary Restricted License. The court may, in its discretion, and where provided by law, issue a temporary restricted license to a defendant whose driver's license has been suspended by the court. The period of time covered by the temporary license shall count and be credited against the suspension period. The original of the temporary restricted license shall be retained by the court, and certified copies of the temporary restricted license shall be filed with the Department of Transportation and delivered to the defendant. The certified copy delivered to the defendant shall be retained by the defendant as the authority to drive in accordance with the terms thereof during the period of the temporary license.

(e) Form of Temporary Restricted License. A temporary restricted license granted by the court during the suspension of a driver's license shall be in substantially the following form:

[Click here \[3\]](#) for form.

(Adopted April 3, 1984, effective March 1, 1984; amended February 10, 1993, effective July 1, 1993; amended April 19, 1995, effective July 1, 1995, amended April 2, 2010, effective April 15, 2010, amended April 27, 2016, effective July 1, 2016.)

**Source URL:** <https://isc.idaho.gov/imcr9-1>

**Links:**

[1] [https://isc.idaho.gov/./rules/forms/IMCR\\_9.1b\\_Form.docx](https://isc.idaho.gov/./rules/forms/IMCR_9.1b_Form.docx)

[2] [https://isc.idaho.gov/./rules/forms/IMCR\\_9.1c\\_Form.docx](https://isc.idaho.gov/./rules/forms/IMCR_9.1c_Form.docx)

[3] [https://isc.idaho.gov/./rules/forms/IMCR\\_9.1e\\_Form.docx](https://isc.idaho.gov/./rules/forms/IMCR_9.1e_Form.docx)