



# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 6

RULES OF THE ROAD

49-624. DRIVER DUTY UPON APPROACHING A STATIONARY POLICE VEHICLE OR AN AUTHORIZED EMERGENCY VEHICLE DISPLAYING FLASHING LIGHTS. The driver of a motor vehicle, upon approaching a stationary police vehicle displaying flashing lights or an authorized emergency vehicle displaying flashing lights shall:

(1) If the driver is traveling on a highway with two (2) or more lanes carrying traffic in the same direction, immediately reduce the speed of his vehicle, proceed with due caution, or change lanes as soon as it is possible to do so in a manner that is reasonable and prudent under the conditions then existing, with regard to actual and potential hazards.

(2) If the driver is traveling on a highway with one (1) lane for each direction of travel, immediately reduce the speed of his vehicle, and maintain a safe speed for the road, weather and traffic conditions until completely past the stationary police vehicle or authorized emergency vehicle.

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# Idaho Statutes

## TITLE 49 MOTOR VEHICLES

### CHAPTER 9 VEHICLE EQUIPMENT

49-928. SPECIAL RESTRICTIONS ON LAMPS. (1) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, or flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

(2) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light visible from directly in front of the center of the vehicle or equipment. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this title.

(3) As a practical means of determining whether head lamps or auxiliary driving or fog lamps glare the following test shall apply: Any such lamp shall be deemed to be glaring if any part of the main beam strikes the body of a person, vehicle, screen or other object higher than the lamp centers twenty-five (25) feet or more ahead of the vehicle and in no event shall the main bright portion of the beam be higher than forty-two (42) inches at a distance of seventy-five (75) feet ahead of the vehicle.

(4) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow removal equipment, or on any vehicle as a means for indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 2  
GENERAL

49-218. DESIGNATION OF AUTHORIZED EMERGENCY VEHICLES. The director of the Idaho state police shall designate any particular vehicle as an authorized emergency vehicle upon a finding that designation of that vehicle is necessary to the preservation of life or property, or to the execution of emergency governmental functions.

Any person who operates a motor vehicle in a manner which would lead one to reasonably believe it was an emergency vehicle without prior approval of the director of the Idaho state police, shall be guilty of a misdemeanor and shall be subject to a fine of not less than three hundred dollars (\$300) and may be incarcerated for not more than thirty (30) days in jail for each occurrence.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 1  
DEFINITIONS

49-106. DEFINITIONS -- E.

(1) "Electric personal assistive mobility device" means a self-balancing two (2) nontandem wheeled device designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour or less.

(2) "Emergency vehicle." (See "Vehicle," section 49-123, Idaho Code)

(3) "Encumbrance." (See "Lien," section 49-113, Idaho Code)

(4) "EPA" means the environmental protection agency of the United States.

(5) "Essential parts" means all integral and body parts of a vehicle of a type required to be registered, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type or mode of operation.

(6) "Established place of business" means a place occupied either continuously or at regular periods by a dealer or manufacturer where his books and records are kept and a large share of his business is transacted.

(7) "Excessive" or "unusual noise" means any sound made by a passenger motor vehicle or a motorcycle at any time under any condition of grade, speed, acceleration or deceleration, which exceeds ninety-two (92) decibels, or any lower decibel level that is fixed by law or rules adopted by the board of health and welfare, on the "A" scale of a general radio company No. 1551-B sound level meter, or equivalent, stationed at a distance of not less than twenty (20) feet to the side of a vehicle or motorcycle as the vehicle or motorcycle passes the soundmeter or is stationed not less than twenty (20) feet from a stationary motor or engine.

(8) "Excessive speed" means any speed of fifteen (15) miles per hour or more above the posted speed limit, and is only for purposes of determining disqualification of commercial driving privileges.

(9) "Executive head," as used in chapter 20, title 49, Idaho Code, means the governor of the state of Idaho.

(10) "Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause a sudden generation of highly heated gases with which the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

(11) "Extraordinary circumstances" means any situation where an emergency

exists or public safety is endangered, or any situation in which a vehicle:

- (a) Is blocking or impeding traffic; or
- (b) Is causing a hazard; or
- (c) Has the potential of impeding any emergency vehicle; or
- (d) Is impeding any snow removal or other road maintenance operation; or
- (e) Has been stolen but not yet reported as recovered; or
- (f) Is not registered, or displays a license plate registration tag which has been expired.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 27

FUNERAL PROCESSIONS

49-2704. OTHER VEHICLES. The driver of a vehicle that is not part of a funeral procession may not:

- (1) Drive between the vehicles forming a funeral procession while they are in motion except when authorized to do so by a police officer or when driving an authorized emergency vehicle emitting an audible or visible signal;
- (2) Join a funeral procession to secure the right-of-way as granted in section 49-2701, Idaho Code;
- (3) Pass a funeral procession on a multiple lane highway on the procession's right side unless the funeral procession is in the farthest left lane;
- (4) Enter an intersection, even if the driver is facing a green traffic control signal, when a funeral procession is proceeding through a red traffic control signal at that intersection as permitted under section 49-2701, Idaho Code, unless the driver can do so without crossing the path of the funeral procession. If the red signal changes to green while the funeral procession is within the intersection, the driver of a vehicle facing a green signal may proceed subject to the right-of-way of the vehicles participating in a funeral procession.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 27

FUNERAL PROCESSIONS

49-2701. FUNERAL PROCESSION RIGHT-OF-WAY -- FUNERAL ESCORT VEHICLES -- FUNERAL LEAD VEHICLES. (1) "Funeral procession" means two (2) or more vehicles accompanying the body of a deceased person, in the daylight hours, including a funeral lead vehicle or a funeral escort vehicle.

(2) "Funeral lead vehicle" means a motor vehicle, including a funeral hearse, properly equipped, pursuant to section 49-2702, Idaho Code, leading and facilitating the movement of a funeral procession.

(3) "Funeral escort vehicle" means any motor vehicle properly equipped pursuant to section 49-2702, Idaho Code, and which escort facilitates the funeral procession and serves to direct traffic as provided in this section.

(4) Pedestrians and operators of all vehicles, except as stated in subsection (7) of this section, shall yield the right-of-way to any vehicle which is part of a funeral procession being led by a funeral escort vehicle or a funeral lead vehicle.

(5) Whenever the funeral escort vehicle or funeral lead vehicle in a funeral procession enters an intersection, the remainder of the vehicles in such funeral procession may continue to follow the funeral lead vehicle through the intersection, notwithstanding any traffic control device or right-of-way provisions prescribed by statute or local ordinance, provided the operator of each vehicle exercises reasonable care toward any other vehicle or pedestrian on the roadway.

(6) Except as provided in subsection (7) of this section, the driver of a funeral escort vehicle may direct the drivers of other vehicles in a funeral procession to proceed through an intersection or to make turns or other movements despite any official traffic control device. The driver of a funeral escort vehicle may direct and control the drivers of vehicles not in a funeral procession, including those in or approaching an intersection, to stop, proceed, or make turns or other movements without regard to an official traffic control device. Funeral escort vehicles may exceed the speed limit by fifteen (15) miles per hour when overtaking the funeral procession to direct traffic at the next intersection.

(7) Funeral processions shall have the right-of-way at intersections regardless of traffic control devices, subject to the following conditions and exceptions:

(a) Operators of vehicles in a funeral procession shall yield the right-of-way to an approaching emergency vehicle giving an audible or visible signal; and

(b) Operators of vehicles in a funeral procession shall yield the

right-of-way when directed to do so by a police officer.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 9  
VEHICLE EQUIPMENT

49-956. HORNS AND WARNING DEVICES. (1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn, but shall not otherwise use the horn when upon a highway.

(2) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

(3) It is permissible, but not required for any vehicle to be equipped with a theft alarm signal device, so arranged that it cannot be used by the driver as an ordinary warning signal.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the director, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which the latter events the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of the approach.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 8  
SIGNS, SIGNALS AND MARKINGS

49-811. USE OF OPTICAL STROBE LIGHT DEVICES. (1) As used in this section "optical strobe light device" shall mean a strobe light device which emits an optical signal at a specific frequency to a traffic control signal enabling police or emergency vehicles to obtain the right-of-way at intersections or enabling transportation department, city, county or highway district maintenance vehicles to perform maintenance tests on traffic control signals.

(2) A person shall be guilty of a misdemeanor if the person uses an optical strobe light device on the highways of this state unless the person is operating or riding in an authorized emergency vehicle, as defined in section 49-123(2)(b), Idaho Code, or is operating or riding in a transportation department, city, county or highway district maintenance vehicle and the person is on official emergency duty while operating or riding in the vehicle.

(3) A person found guilty of violating subsection (2) of this section shall be sentenced by imprisonment of not greater than six (6) months, by a fine not in excess of one thousand dollars (\$1,000), or by both such fine and imprisonment.

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# Idaho Statutes

TITLE 49  
MOTOR VEHICLES  
CHAPTER 8  
SIGNS, SIGNALS AND MARKINGS

49-801. OBEDIENCE TO AND REQUIRED TRAFFIC-CONTROL DEVICES. (1) The driver of any vehicle shall obey the instructions of any traffic-control device placed or held in accordance with the provisions of this title, unless otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle by this title.

(2) No provisions of this title for which traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation a device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that traffic-control devices are required, the section shall be effective even though no devices are erected and in place.

(3) Whenever traffic-control devices are placed or held in position approximately conforming to the requirements of this title, the devices shall be presumed to have been placed or held by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(4) Any traffic-control device placed or held pursuant to the provisions of this title and purporting to conform to the lawful requirement pertaining to those devices shall be presumed to comply with the requirements of this title, unless the contrary shall be established by competent evidence.

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# Idaho Statutes



TITLE 49  
MOTOR VEHICLES  
CHAPTER 7

PEDESTRIANS AND BICYCLES

49-705. PEDESTRIANS YIELD TO AUTHORIZED EMERGENCY VEHICLES. (1) Upon the immediate approach of an authorized emergency vehicle making use of an audible or visual signal meeting the requirements of section 49-623, Idaho Code, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency or police vehicle.

(2) This section shall not relieve the driver of an authorized emergency or police vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

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MOTOR VEHICLES  
CHAPTER 7

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(2) This section shall not relieve the driver of an authorized emergency or police vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

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# Idaho Statutes



TITLE 49  
MOTOR VEHICLES  
CHAPTER 1  
DEFINITIONS

49-124. DEFINITIONS -- W.

(1) "Wheelchair, motorized." (See "Motorized wheelchair," section 49-114, Idaho Code)

(2) "Wholesaler" means a dealer who sells used vehicles to Idaho dealers.

(3) "Work zone" means a construction or maintenance area that is located on or adjacent to a highway and marked by appropriate warning signs.

(4) "Wrecker" means a motor vehicle designed and used primarily for towing other vehicles that may be disabled. A wrecker engaged in a motor vehicle recovery operation and which is blocking part or all of one (1) or more lanes of traffic shall be designated an emergency vehicle.

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# Idaho Statutes



TITLE 41  
INSURANCE  
CHAPTER 25

CASUALTY INSURANCE CONTRACTS

41-2507. CANCELLATION OF POLICIES -- GROUNDS. No notice of cancellation of a policy shall be effective and the insurer shall not refuse renewal of a policy, unless based on one or more of the following reasons:

- (1) Nonpayment of premium; or
- (2) The policy was obtained through a material misrepresentation; or
- (3) Any insured violated any of the terms and conditions of the policy;

or

(4) The named insured failed to disclose fully his motor vehicle accidents and moving traffic violations, or his losses covered under any automobile physical damage or comprehensive coverage, for the preceding thirty-six (36) months if called for in the application; or

(5) As to renewal of the policy, if the insured at any time while the policy was in force failed to disclose fully to the insurer, upon request therefor, facts relative to accidents and losses incurred material to underwriting of the risk; or

(6) Any insured made a false or fraudulent claim or knowingly aided or abetted another in the presentation of such a claim; or

(7) The named insured or any other operator who either resides in the same household or customarily operates an automobile insured under such policy:

(a) Has, within the thirty-six (36) months prior to the notice of cancellation or nonrenewal, had his driver's license under suspension or revocation; or

(b) Has a history of and is subject to epilepsy or heart attacks, and such individual cannot produce a certificate from a physician testifying to his unqualified ability to operate a motor vehicle safely; or

(c) Has an accident record, conviction record (criminal or traffic), physical, mental, or other condition which is such that his operation of an automobile might endanger the public safety; or

(d) Has, while the policy is in force, engaged in a prearranged competitive speed contest while operating or riding in an automobile insured under the policy; or

(e) Has, within the thirty-six (36) months prior to the notice of cancellation or nonrenewal been addicted to the use of narcotics or other drugs; or

(f) Uses alcoholic beverages to excess; or

(g) Has been convicted, or forfeited bail, during the thirty-six (36) months immediately preceding the notice of cancellation or nonrenewal; for

- (i) Any felony; or
  - (ii) Criminal negligence resulting in death, homicide, or assault arising out of the operation of a motor vehicle; or
  - (iii) Operating a motor vehicle while in an intoxicated condition or while under the influence of drugs; or
  - (iv) Leaving the scene of an accident without stopping to report; or
  - (v) Theft or unlawful taking of a motor vehicle; or
  - (vi) Making fraudulent statements in an application for a driver's license; or
  - (h) Has been convicted of, has had a judgment entered against, or forfeited bail for, three (3) or more violations within the thirty-six (36) months immediately preceding the notice of cancellation or nonrenewal, of any law, ordinance, or regulation of any state for which a violation point is assessed by the Idaho transportation department under the provisions of section 49-326, Idaho Code, whether or not the violations were repetitions of the same offense or different offenses.
- (8) The insured automobile is:
- (a) So mechanically defective that its operation might endanger public safety; or
  - (b) Used in carrying passengers for hire or compensation, except that the use of an automobile for a car pool shall not be considered use of an automobile for hire or compensation; or
  - (c) Used in the business of transportation of flammables or explosives; or
  - (d) An authorized emergency vehicle; or
  - (e) Modified or changed in condition during the policy period so as to increase the risk substantially; or
  - (f) Subject to an inspection law and has not been inspected or, if inspected, has failed to qualify.

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