

IN THE SENATE

SENATE BILL NO. 1292

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO MOTORCYCLES; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE
2 ADDITION OF A NEW SECTION 49-1431, IDAHO CODE, TO PROVIDE THAT LAW EN-
3 FORCEMENT SHALL NOT ENGAGE IN MOTORCYCLE PROFILING, TO DEFINE A TERM,
4 AND TO PROVIDE THAT NO CAUSE OF ACTION SHALL BE CREATED.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 14, Title 49, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 49-1431, Idaho Code, and to read as follows:

10 49-1431. MOTORCYCLE PROFILING. (1) No state or local law enforcement
11 agent or law enforcement agency shall engage in motorcycle profiling.

12 (2) For purposes of this section, "motorcycle profiling" means the ar-
13 bitrary use of the fact that a person rides a motorcycle or wears motorcy-
14 cle-related paraphernalia as a factor in deciding to stop and question, take
15 enforcement action, arrest, or search a person or vehicle under the consti-
16 tution of the United States or the constitution of the state of Idaho.

17 (3) Nothing in this section shall be construed to create a cause of ac-
18 tion against any individual, the state of Idaho, any counties or cities of
19 the state, or any law enforcement entity within the state.