

IN THE SENATE

SENATE BILL NO. 1100

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO TRAFFIC ENFORCEMENT; AMENDING SECTION 49-1431, IDAHO CODE, TO REQUIRE POLICIES AGAINST MOTORCYCLE PROFILING AND TO REQUIRE CERTAIN TRAINING REGARDING MOTORCYCLE PROFILING; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-1431, Idaho Code, be, and the same is hereby amended to read as follows:

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

(2) For purposes of this section, "motorcycle profiling" means the arbitrary use of the fact that a person rides a motorcycle or wears motorcycle-related paraphernalia as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle under the constitution of the United States or the constitution of the state of Idaho.

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

(4) All state and local law enforcement agencies shall adopt a policy prohibiting motorcycle profiling that is consistent with the provisions of this section. A law enforcement agency shall distribute a copy of such policy to all of its law enforcement agents.

(5) The peace officer standards and training council established in chapter 51, title 19, Idaho Code, shall include training regarding the prohibition of motorcycle profiling as part of minimum basic training that peace officers shall complete. Such training shall include reference to the provisions of this section.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.