

TITLE 18
CRIMES AND PUNISHMENTS

CHAPTER 68
TELEGRAPH, TELEPHONE AND ELECTRIC LINES

18-6801. REMOVAL OR OBSTRUCTION OF TELEPHONE OR TELEGRAPH LINES OR EQUIPMENT. Every person who maliciously displaces, removes, injures or destroys any public telephone instrument or any part thereof or any equipment or facilities associated therewith, or who enters or breaks into any coin box associated therewith, or who willfully displaces, removes, injures or destroys any telegraph or telephone line, wire, cable, pole or conduit belonging to another or the material or property appurtenant thereto is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

[18-6801, added 1972, ch. 336, sec. 1, p. 970; am. 2006, ch. 71, sec. 17, p. 221.]

18-6802. ELECTRIC LINES -- PUNISHMENT FOR INJURING. Any person who shall wilfully cut down or burn, or otherwise materially injure, any electric light pole, or shall shoot so as to materially injure any insulator, or knock said insulator loose from the pole to which it is attached, or otherwise materially injure such insulator, or who shall shoot any electric light wire, thereby breaking said wire, or who shall otherwise wilfully cut, break, or injure such wire, shall, upon conviction be guilty of a misdemeanor.

[I.C., sec. 18-6802, as added by 1972, ch. 336, sec. 1, p. 970; am. 1991, ch. 45, sec. 1, p. 84.]

18-6803. REMOVAL OR DESTRUCTION OF ELECTRIC TRANSMISSION LINES. It shall be unlawful for anyone within the state of Idaho to take down, remove, injure, obstruct, displace or destroy, wilfully or maliciously and without the consent of the owner, any line erected or constructed for the transmission of electrical current, or any poles, wires, conduits, cables, insulators, or any support upon which wires or cables may be suspended, or any part of any such line or appurtenances or apparatus connected therewith, or to sever any wire or cable thereof, or in any manner to interrupt the transmission of electrical current over and along any such line, or to take down, remove, injure or destroy any house, shop, building or other structure, or appurtenances thereto, or any machinery connected therewith or necessary to the use of any line erected or constructed for the transmission of electrical current:

Provided, nothing in this section shall be construed to prevent any person, after having given ten days' written notice, from removing or causing to be removed from his premises, or premises occupied by him, any of the above described line or lines, wires, conduits, cables, insulators or apparatus connected therewith; provided further, any such removals must be made by or under the direction of a skillful and competent electrician.

[18-6803, added 1972, ch. 336, sec. 1, p. 970.]

18-6804. BURNING ELECTRIC LINES OR PLANTS. It shall be unlawful for any person within the state of Idaho to set fire, wilfully or maliciously, that shall result in the destruction or injury of any line erected or constructed for the transmission of electrical current, or any poles, conduits, cables, wires, insulators or any support upon which wires or cables may be suspended, or any part of any such line or appurtenances or apparatus connected therewith, or any house, shop, building or other structure, or appurtenances thereto, or machinery connected therewith, or necessary to the use of, any line erected or constructed for the transmission of electrical current, or to set fire that shall in any manner interrupt the transmission of electrical current along such line.

[18-6804, added 1972, ch. 336, sec. 1, p. 971.]

18-6805. PUNISHMENT FOR REMOVAL, DESTRUCTION OR BURNING OF ELECTRIC LINES OR PLANTS. Any person or persons violating any provision or provisions of the two preceding sections or any part of said sections, shall, upon conviction thereof, be punished by a fine not exceeding \$500.00, or by imprisonment in the penitentiary not to exceed ten years, or by both such fine and imprisonment, in the discretion of the court.

[18-6805, added 1972, ch. 336, sec. 1, p. 971.]

18-6806. RELINQUISHMENT OF TELEPHONE LINE FOR EMERGENCY MESSAGES. Any person using a telephone line by which use restricts or denies use of such line by other persons shall relinquish the use of such line to any other person requesting the use of such line for emergency messages.

[I.C., sec. 18-6806, as added by 1972, ch. 336, sec. 1, p. 971.]

18-6807. INFORMATION REQUIRED OF PERSON MAKING REQUEST. Any person requesting that another person using a telephone line relinquish the use of such line for the purpose of an emergency message shall inform such person of the nature of the emergency, and their name and telephone number upon request.

[I.C., sec. 18-6807, as added by 1972, ch. 336, sec. 1, p. 971.]

18-6808. EMERGENCY CALLS ENUMERATED. Emergency telephone calls for the purpose of this act are calls for police, medical and fire aid.

[I.C., sec. 18-6808, as added by 1972, ch. 336, sec. 1, p. 972.]

18-6809. MISDEMEANOR TO FAIL TO RELINQUISH OR FRAUDULENTLY PROCURE USE OF LINE. Any person using such line, failing or refusing to relinquish such line upon proper request, shall be guilty of a misdemeanor. Any person fraudulently procuring use of such line for nonexistent emergency shall be guilty of a misdemeanor.

[I.C., sec. 18-6809, as added by 1972, ch. 336, sec. 1, p. 972.]

18-6810. INTENTIONAL DESTRUCTION OF A TELECOMMUNICATION LINE OR TELECOMMUNICATION INSTRUMENT. (1) Any person who intentionally takes down, removes, injures or obstructs in any manner any telecommunication line or, any part thereof, or appurtenances or apparatus connected therewith,

or severs any wire thereof or who intentionally takes, withholds, takes down, removes, injures or obstructs any telephone instrument or other instrument that is used or could be used to facilitate the transmission of messages, signals, facsimiles, video images or other communication by means of telephone, telegraph, cable, wire or the projection of energy or waves without physical connection (such as wireless or cellular), with the intent to prohibit, disrupt, inhibit, delay, disconnect or otherwise interfere with a person's ability to make contact with or otherwise communicate with an emergency service provider is guilty of a misdemeanor and shall be punished by a fine of up to one thousand dollars (\$1,000) or by imprisonment in the county jail for up to one (1) year, or both.

(2) For purposes of this statute, a "telecommunication line" shall be defined as any line used or that could be used for the transmission of any type of message or information, regardless of form or content.

(3) For purposes of this statute, an "emergency service provider" includes law enforcement, emergency medical service providers (including, but not limited to, ambulance, EMS, or paramedic service providers), fire suppression service providers, dispatch centers, dispatch personnel, and any person, entity, or security business (including private business) that has the authority to dispatch such service providers or that otherwise makes available the service of requesting a response, or providing notification of the need for a response, by any of the foregoing emergency service providers. The term "emergency service provider" shall also include any personnel, service or entity that can be contacted, either directly or indirectly, by dialing "911."

[18-6810, added 2002, ch. 227, sec. 1, p. 654; am. 2003, ch. 247, sec. 1, p. 638.]