

AN ORDINANCE AMENDING CHAPTER 17, MUNICIPAL OFFENSES, OF THE BERTHOUD MUNICIPAL CODE REGARDING THE MOTOR VEHICLE INSURANCE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO, CHAPTER 17 OF THE BERTHOUD MUNICIPAL CODE IS HEREBY AMENDED WITH THE ADDITION OF THE FOLLOWING SECTION:

Section 1.

17.49 COMPULSORY PROOF OF INSURANCE.

1. Definitions:

The applicable definitions set forth in section 10-4-703 of the Colorado Revised Statutes (C.R.S.) are incorporated herein by reference.

2. No person shall operate a motor vehicle on a public street or highway within this municipality without possession of proof of insurance being carried on his or her person or within the motor vehicle being operated that a complying policy or certificate of self-insurance is in full force and effect as required by Title 10, Article 4, Part 7, of the Colorado Revised Statutes

3. When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a police officer, no owner or operator of a motor vehicle shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by sections 10-4-705 C.R.S. and 10-4-716 C.R.S.

4. Testimony of the failure of any owner or operator of a motor vehicle to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by sections 10-4-705 C.R.S. and 10-4-716 C.R.S., when requested to do so by a police officer, shall constitute prima facie evidence, at a trial concerning a violation charged under subsections 2. or 3. of this section, that such owner or operator of a motor vehicle violated subsection 2. or 3. of this section.

5. No person charged with violating subsection 2. or 3. of this section shall be convicted if he or she produces in court a bona fide complying policy or certificate of self-insurance which was in full force and effect, as required by sections 10-4-705 C.R.S. and 10-4-716 C.R.S., at the time of the alleged violation of this section.

Section 2. Penalties:

It shall be unlawful to violate any provision of this ordinance and upon conviction the guilty party may be sentenced to a \$300.00 fine, ninety (90) days in jail or both such fine and imprisonment. The minimum fine for a conviction of a violation of this ordinance shall be \$100.00.

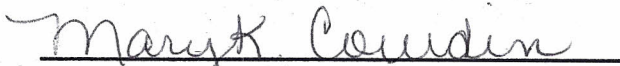
Section 3. Emergency Clause:

The Board of Trustees finds, determines, and declares that the possession of complying insurance or self-insurance by every operator of a motor vehicle is necessary to the immediate preservation of the health, safety and welfare of the Town of Berthoud.

This Ordinance was introduced, read, passed and ordered published by the Board of Trustees at its meeting this 8th day of November, 1994 to become effective upon adoption.

TOWN OF BERTHOUD:

ATTEST:


Mary K. Cowdin
Town Clerk


Richard D. Strachan
Mayor

Published:

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