

ORIGINAL ORDINANCE NO. 1774

INTRODUCED BY: Hanson

ENROLLED ORDINANCE NO. 1549

AN ORDINANCE AMENDING SECTION 10.20.190 LMC FAILURE TO MAINTAIN LIABILITY INSURANCE TO ADD A PROVISION THAT PROOF OF INSURANCE IS REQUIRED TO BE CARRIED IN THE VEHICLE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING:

Section 1. Section 10.20.190 is hereby amended to read as follows:

10.20.190 Failure to maintain liability coverage.

A. No owner of a motor vehicle required to be registered shall operate or permit the operation of his motor vehicle within the city limits without having in full force and effect a motor vehicle liability policy in amounts provided by W.S. 31-9-405(b) or a bond in amounts provided by W.S. 31-9-102(a)(xi). Violation of this subsection is punishable by imprisonment for not more than six months, a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars or both. On a second or subsequent violation of this subsection or upon conviction under this subsection after a conviction under W.S. 31-4-103, the person may be fined not less than five hundred dollars nor more than seven hundred fifty dollars, imprisoned for not more than six months, or both.

B. In addition to the fine or imprisonment imposed for a second or subsequent violation of this subsection or upon conviction under subsection A after conviction under W.S. 31-4-103, the judge shall require the defendant to deliver the registration and license plates of the vehicle involved to the county treasurer, to be held by the county treasurer until the judge determines that the defendant has met all obligations imposed by law.

C. Excusable neglect or mistake by another is a defense for any violation of this subsection. If evidence of excusable neglect or mistake by another is presented and the defendant is convicted, the court may consider this evidence in imposing a penalty under this section. The judge may suspend part or all of the sentence and place the defendant on probation subject to conditions imposed by the judge which shall include a condition that the defendant shall deliver the registration and license plate of the vehicle involved to the county treasurer.

D. This section does not apply to a vehicle owned by a nonresident and registered in a state requiring insurance if a vehicle insurance policy meeting requirements of the laws and regulations of that state is in effect or unless it otherwise complies with the laws of that state concerning compulsory financial responsibility. The court shall report any violation of this ordinance to the Wyoming Department of Transportation. A vehicle owned by a nonresident and registered in a state not requiring insurance is exempt from this section.

E. This section does not apply to:

1. Self-insurers pursuant to W.S. 31-9-414;
2. A vehicle owned by the United States government, any state, or political subdivision thereof which is self-insured;
3. A vehicle meeting the requirements of W.S. 31-9-408 and 31-9-409;

4. A commercial vehicle registered or proportionally registered in this and any other jurisdiction provided the vehicle is covered by a vehicle insurance policy complying with the laws of any other jurisdiction in which it is registered.

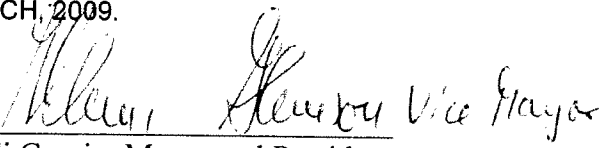
F. Any police officer employed by the City issuing a citation for a moving violation under the provisions of the Laramie Municipal Code shall require the operator thereof to produce evidence that the operator or the owner has in full force and effect a motor vehicle liability insurance policy in amounts as provided in W.S. 31-9-405(b), or a bond in amounts provided in W.S. 31-9-103(a)(xi). If the operator cannot show written proof of valid financial responsibility, the driver shall have seven (7) days to produce such proof to the Court, at which time, the Court may dismiss the citation on its own motion. Displaying or exhibiting a validly issued insurance identification card to the officer as specified in W.S. 31-8-201 constitutes compliance under this provision. No operator or owner of a motor vehicle charged with violating subsection A of this ordinance shall be convicted of that offense if he produces in Court one (1) of the following which was valid at the time of arrest or at the time the citation was issued:

A liability insurance policy previously issued to him; or,
Evidence of a bond on file with the Department of Transportation in amounts provided by W.S. 31-9-102(a)(xi).

G. It is unlawful for any person to operate a motor vehicle within the limits of the City without having the insurance identification card, or valid evidence of insurance being present in the vehicle at the time of operation, and to produce that card or evidence of insurance to a police officer upon demand for such. The penalty for violation of such subsection on the first occasion shall be a requirement to pay Court costs. The maximum penalty for a second or subsequent violation of this subsection within a one (1) year period shall be one hundred dollars (\$100.00), plus costs.

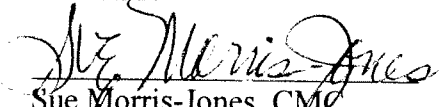
Section 2. This ordinance shall become effective after passage, approval and publication.

PASSED AND APPROVED THIS 3rd DAY OF MARCH, 2009.



Jodi Guerin, Mayor and President
of the City Council of the City of
Laramie, Wyoming

ATTEST:



Sue Morris-Jones, CMC
City Clerk

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First Reading: 2/03/2009
Public Hearing: n/a
Second Reading: 2/17/2009
Third Reading: 3/03/2009