

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 20
SERIES OF 2017**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ADDING A NEW
SECTION 8-1-245 TO THE RIFLE MUNICIPAL CODE FOR LOCAL
ENFORCEMENT AND PROSECUTION OF INDIVIDUALS DRIVING
UNDER RESTRAINT IN VIOLATION OF COLORADO STATE LAW.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Section 42-2-138, C.R.S., prohibits the operation of motor vehicles by individuals whose driving privilege has been restrained; and

WHEREAS, by HB 17-1162, the Colorado General Assembly authorized local governments to enforce violations of Section 42-2-138, C.R.S.; and

WHEREAS, the Rifle City Council finds and declares that it is in the interest of the public health, safety, and welfare to amend the Rifle Municipal Code to authorize the enforcement and prosecution of violations of Section 42-2-138, C.R.S., in the Rifle Municipal Court.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.
2. Code Addition. A new Section 8-1-245 of the Rifle Municipal Code is hereby added to read as follows:

Sec. 8-1-245. – Driving under restraint – penalty.

- a. Any person who drives a motor vehicle or off-highway vehicle with knowledge that the person’s license or privilege to drive, either as a state resident or a non-resident, is under restraint for an outstanding judgment is guilty of a Class A Traffic Infraction.
- b. Notwithstanding any provision of this Chapter to the contrary, any person in violation of this Section may be punished by a fine not greater than \$500.00 and/or imprisonment for a period of not more than six months.
- c. The Rifle Municipal Court shall have jurisdiction over violations of this Section, but shall not waive or reduce the three-point penalty imposed under state law.

INTRODUCED on July 19, 2017, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on August 2, 2017, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 2nd day of August, 2017.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk