

ORDINANCE NO. _____

ENTITLED: "AN ORDINANCE AMENDING SECTION 10.12.020 OF THE MUNICIPAL CODE OF THE CITY OF CHEYENNE, WYOMING, CLARIFYING THAT FAILURE TO MAINTAIN LIABILITY COVERAGE IS A JAILABLE OFFENSE."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That Section 10.12.020, Incarceration for Certain Traffic Offenses, of Chapter 10.12, Administration and Enforcement, of Title 10, Vehicles and Traffic, of the City of Cheyenne, Wyoming, is hereby amended as set out in this ordinance.

10.12.020 - Incarceration for certain traffic offenses.

The municipal court may not impose a jail sentence ~~or incarceration~~ for any traffic-related ~~offenses,~~ offense except for the following offenses:

- A. Reckless driving (city code Section 10.08.010 and ~~Wyo. Stat. Section W.S.~~ 31-5-229);
- B. Driving or having control of vehicle while under influence of intoxicating liquor or controlled substances (city code Section 10.08.010 and ~~Wyo. Stat. Section W.S.~~ 31-5-233);
- C. Driving while license cancelled, suspended or revoked (city code Section 10.08.010 and ~~Wyo. Stat. Section W.S.~~ 31-7-134);
- D. Fleeing or attempting to elude police officers (city code Section 10.08.010 and ~~Wyo. Stat. Section W.S.~~ 31-5-225);
- E. Duty to stop vehicle where accident involves death or personal injuries (city code Section 10.08.010 and ~~Wyo. Stat. Section W.S.~~ 31-5-1101); ~~and~~

F. Failure to maintain liability coverage (city code Section 10.08.010 and W.S. 31-4-103).

The municipal court ~~will~~ shall advise the defendant that the maximum sentence ~~on for any of~~ the offenses listed in subsections (A) through ~~E~~ (F) of this section is six (6) months in jail, ~~and/or~~ a fine of seven hundred fifty dollars (\$750.00), or both.

Section 2. Sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or otherwise unlawful, such declaration shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 3. This ordinance shall be in full force and effect upon approval and publication.

FIRST READING: _____

SECOND READING: _____

THIRD AND FINAL READING: _____

PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

KRISTINA F. JONES, CITY CLERK

Published: _____
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