

**ORDINANCE NO. 3
SERIES 2018**

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 2, ARTICLE B OF
THE VAIL TOWN CODE, BY THE ADDITION OF A NEW SECTION 4
REGARDING DRIVING UNDER RESTRAINT**

WHEREAS, the Colorado legislature passed House Bill 17-1162, effective August 9, 2017, concerning action that can be taken against an individual based on the individual's failure to pay for a traffic violation; and

WHEREAS, the Town wishes to adopt certain provisions of House Bill 17-1162 authorizing municipal enforcement of driving under restraint or suspension.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF VAIL, COLORADO, THAT:**

Section 1. Title 7, Chapter 2, Article B of the Vail Town Code is hereby amended by the addition of a new Section 7-2B-4, to read as follows:

7-2B-4: DRIVING UNDER RESTRAINT OR SUSPENSION:

It is unlawful for any person to drive a motor vehicle or off-highway vehicle upon any street or highway in the Town with knowledge that such person's license or privilege to drive, either as a resident or nonresident, is under restraint or suspension for any reason, including an outstanding judgment.

Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 4. The amendment of any provision of the Vail Town Code, as provided in this ordinance, shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This

repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 6th day of February, 2018 and a public hearing for second reading of this Ordinance is set for the 20th day of February, 2018, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this 20th day of February, 2018.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk