



# PROPOSED ORDINANCES: CARELESS DRIVING – INJURY & LICENSE PLATES DISPLAYED

Amendment & Addition to Municipal Ordinances in City Code

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# CURRENT PRACTICE



## **CARELESS DRIVING – INJURY CITATIONS:**

CSPD officers investigating careless driving incidents involving injury:

- Cite the violator into County Court for 42-4-1402 – Careless driving resulting in injury (Class 1 Misdemeanor Traffic Offense).
- Non-injury violations are typically cited into Municipal Court, often as 10.6.102 – Careless Driving.
- Violations involving death are cited into County Court and are not requested as part of this municipal ordinance.

# CURRENT PRACTICE



## LICENSE PLATES DISPLAYED:

CSPD officers investigating a registration violation or obscured license plate:

- Cite the violator into County Court for displaying expired registration, expired temporary registration, failure to display valid registration, license plate violations, etc.
- In most instances, these citations are a non-moving violation fine cited into County Court.
- Certain violations – like fictitious license plates – are not eligible for municipal ordinance and would remain county citations.

# CURRENT VIOLATION INFORMATION



| Cited Offense in County Court | 2021 Citations | 2022 Citations | 2023 Citations |
|-------------------------------|----------------|----------------|----------------|
| Careless Driving              | 757            | 627            | 568            |
| Expired Vehicle Registration  | 4,976          | 3,242          | 2,234          |

# PROPOSED ORDINANCE



| City Code                                  | Summary  |
|--|--|
| § 10.6.102<br>Careless Driving             | Amend existing municipal Careless Driving ordinance to include incidents where injury less than death occurs to any person.  |
| § 10.22.232<br>License Plates<br>Displayed | Create new municipal ordinance that requires vehicles, motorcycles, trailers, and other conveyances drawn by a motor vehicle to display license plates as required by state law, to display current vehicle registration on any rear Colorado license plate or as otherwise required if the plate was issued elsewhere, and to display license plates that are not obscured. |

# WHY ARE THESE CHANGES REQUESTED?



- Colorado state law recently changed to allow incidents of non-fatal injury involving careless driving to be cited into municipal courts.
- Colorado Springs is a home rule city, and CSPD and the City Attorney's Office wish to cite eligible violations into Municipal Court.
- The City Attorney's Office has the capacity to handle an increased prosecutorial load and wishes to prosecute offenses for Careless Driving – Injury and License Plates Displayed.

# IMPLEMENTATION



- These offenses are already state law violations, so there will be no warning period.
- Offenses will be added to Colorado Springs Municipal Code, CSPD databases, and the City Attorney's Office.
- Violators will be cited into Municipal Court for violations, unless other violations prevent municipal prosecution.
- Current CSPD citation policy & City Attorney's Office prosecution guidelines will apply.