

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 10.16.070 of the Lincoln Municipal Code
 2 relating to proof of financial responsibility by adding language regarding presumption of use by
 3 vehicle owners; further defining requirements of financial responsibility; specifying advisements
 4 currently part of state statutes; and increasing the penalty to a misdemeanor to be comparable with
 5 state statutes; and repealing Section 10.16.070 of the Lincoln Municipal Code as hitherto existing.

6 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

7 Section 1. That Section 10.16.070 of the Lincoln Municipal Code be amended to
 8 read as follows:

9 **10.16.070 Proof of Financial Responsibility; Violation; Penalty.**

10 It shall be unlawful for Any person owning a motor vehicle which is being operated or
 11 towed with In Transit decals pursuant to state law, or which is being operated or towed within thirty
 12 days after date of purchase pursuant to state law, or which is required to be registered in this state,
 13 and which is operated or towed on a public street of this city, shall have in to allow the operation
 14 or towing of his or her motor vehicle, at all times when the vehicle is operated in on a public street
 15 of this city, without having a current and effective automobile liability policy, evidence of insurance,
 16 or proof of financial responsibility as required by Neb. Rev. Stat. § 60-302.

17 The owner shall be presumed to know of the operation or towing of his or her vehicle or
 18 trailer on a public street of this city in violation of this section when the motor vehicle or trailer is
 19 being operated or towed by a person other than the owner. Any motor vehicle operator unable to
 20 produce such proof upon request of a Nebraska law enforcement officer shall be allowed ten days

1 from the date of the request to produce proof that financial responsibility was in existence at the time
2 of such request. Every person who violates this section shall be guilty of a misdemeanor and, upon
3 conviction, ~~shall be fined not more than \$500.00, recoverable with costs~~ shall be advised by the
4 court that his or her operator's license, motor vehicle certificate of registration, and license plates
5 will be suspended by th Nebraska State Department of Motor Vehicles until he or she complies with
6 the requirements pursuant to state law.

7 Section 2. That Section 10.16.070 of the Lincoln Municipal Code as hitherto existing
8 be and the same is hereby repealed.

9 Section 3. That this ordinance shall take effect and be in force from and after its
10 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2007: _____ Mayor
