

ORDINANCE NO. 5598

AN ORDINANCE TO REVISE THE PENALTY FOR RECKLESS AND CARELESS DRIVING BY AMENDING SECTION 10.12.340 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City has adopted Section 10.12.340 of the Rapid City Municipal Code to define and prohibit reckless and careless driving of vehicles upon the city streets; and

WHEREAS, Section 10.12.340 of the Rapid City Municipal Code provides for a maximum fine of not more than \$100 for a conviction of reckless and careless driving; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to amend Section 10.12.340 to allow the Magistrate Court to impose fines for violation of Section 10.12.340 as it deems appropriate.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 10.12.340 of the Rapid City Municipal Code be amended as follows:

10.12.340 Reckless and careless driving.

A. Any person who drives any vehicle upon a street, avenue or alley carelessly and heedlessly in disregard of the rights or safety of others, or without due caution and circumspection, and at a speed or in a manner so as to endanger any person or property, shall be guilty of reckless driving, and upon conviction shall be ~~punished by imprisonment in the city or county jail for a period of not more than 30 days or by a fine of not less than \$5 nor more than \$100, or by both the fine and imprisonment~~ subject to the general penalty provision as set forth in § 1.12.010 of the Code.

B. Every person operating a vehicle upon the streets within this city shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and use of the streets and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such manner shall constitute careless driving and a violation of this subsection. Every person found guilty of careless driving shall be ~~punished by a fine of not more than \$100 or by imprisonment in the city or county jail for not more than 30 days, or by both the fine and imprisonment~~ subject to the general penalty provision as set forth in § 1.12.010 of the Code.

C. In addition to any other penalty provided for violation of any provisions of this section, the court may prohibit the defendant from operating a motor vehicle upon the public streets, alleys, avenues or highways within the limits of the city under the restriction and in such manner as the court may determine, for a period not exceeding 1 year.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: