



City Attorney

DATE: March 3, 2020

FROM: Janelle Combs, City Attorney

ITEM: Ordinance 6415 regarding Written Report of Accident

REQUEST

Consider introduction and call for a public hearing on Ordinance 6415 to amend Ordinance 12-03-06 regarding Written Report of Accident.

Please place this item on the 3/10/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

It was discovered by the city prosecutors that the city ordinance required damage in excess of \$1,000 from an accident be reported; however, state law sets the threshold at \$4,000. This change would make us consistent with state law.

RECOMMENDED CITY COMMISSION ACTION

First reading and introduction of Ordinance 6415 and call for a public hearing.

STAFF CONTACT INFORMATION

Janelle Combs | City Attorney, 355-1340 or jcombs@bismarcknd.gov

CITY OF BISMARCK
Ordinance No. 6415

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND SECTION 12-03-06 OF THE BISMARCK CODE OF ORDINANCES RELATING TO WRITTEN REPORT OF ACCIDENT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 12-03-06 of the City of Bismarck Code of Ordinances relating to Purpose is hereby amended and re-enacted to read as follows:

12-03-06. Written Report of Accident.

1. Immediate notice and written report of accident. The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of ~~one~~ four thousand dollars or more shall immediately give notice of such accident to the police department. The name of the motor vehicle insurance policy carrier and the policy number of the driver, or if the driver is not the owner of the vehicle, then the motor vehicle insurance policy carrier and the policy number of the owner of the vehicle, must be furnished to the officer investigating the accident. If the driver does not have the required information concerning insurance to furnish to the investigating law enforcement officer, then within five day of the accident the driver shall supply that information to the driver's license division in the form the division requires.

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*Reference: NDCC Sec. 39-08-09, 39-08-11 (1985 Supp.)
Ord. 4154, 6-30-87; Ord. 4954, 11-10-98)*

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage, adoption and publication.