

# Compulsory Insurance

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## **Section 1409**

(a) No owner of a motor vehicle required to be registered in the State of Colorado shall operate the vehicle or permit it to be operated on the highways within the City when the owner has failed to have a complying policy or certificate of self-insurance in full and effect as required by law.

(b) No person shall operate a motor vehicle on the highways within the City without a complying policy or certificate of self-insurance in full force and effect as required by law.

(c) When an accident occurs, or when requested to do so following any lawful contact or during any traffic investigation by a peace officer, no owner or operator of a motor vehicle shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law.

### (d) Penalties

(1) Any person who violates the provisions of this section commits a Class 1 Municipal offence. The Municipal Court shall impose a fine of not less than one hundred dollars (\$100.00) and the Municipal Court shall not suspend such minimum fine. Nothing herein shall be construed to prevent the court from imposing a jail sentence or fine greater than the minimum mandatory fine.

(2) Upon a second or subsequent conviction under this section within a period of two years following a prior conviction under this section or under section 42-4-1409, C.R.S., the defendant shall be punished by a minimum mandatory fine of not less than two hundred dollars (\$200.00), and the Municipal Court shall not suspend such minimum fine. Nothing herein shall be construed to prevent the court from imposing a jail sentence or a fine greater than the minimum mandatory fine.

(e) Testimony of the failure of any owner or operator of a motor vehicle to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law, when requested to do so by a peace officer, shall constitute prima facie evidence, at a trial concerning a violation charged under this section, that such owner or operator of a motor vehicle violated subsection (a) or (b) of this section.

(f) No person charged with violating subsection (a), (b), or (c) of this section shall be convicted if the person produces in court a bona fide complying policy or certificate of self-insurance that was in full force and effect as required by law at the time of the alleged violation.

(g) The owner of a motor vehicle, upon receipt of an affirmation of insurance as described in section 42-3-112(2) and (3), C.R.S., shall sign and date such affirmation in the space provided.