

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Police

AGENDA DATE: March 3, 2009 for Introduction.
Public Hearing on March 10, 2009

CONTACT PERSON/PHONE: Chief Gregory Allen, 564-7302.

DISTRICT(S) AFFECTED: All

SUBJECT: An Ordinance amending Title 12, (Vehicles and Traffic), to amend Chapter 12.08 (Administration and Enforcement), Section 12.08.220 (Impounding Vehicles) of the El Paso Municipal Code, by adding subsection 12.08.220 A.21, authorizing a police officer to impound a motor vehicle stopped for a traffic law violation if the vehicle's owner or operator fails to show evidence of financial responsibility.

BACKGROUND / DISCUSSION: Amendment allows for towing of uninsured vehicles.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

AMOUNT AND SOURCE OF FUNDING:

BOARD / COMMISSION ACTION:

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example:if RCA is initiated by Purchasing, client department should sign also) *Information copy to appropriate Deputy City Manager*

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

AN ORDINANCE AMENDING TITLE 12, (VEHICLES AND TRAFFIC), TO AMEND CHAPTER 12.08 (ADMINISTRATION AND ENFORCEMENT), SECTION 12.08.220 (IMPOUNDING VEHICLES) OF THE EL PASO MUNICIPAL CODE; BY ADDING SUBSECTION 12.08.220 A.21, AUTHORIZING A POLICE OFFICER TO IMPOUND A MOTOR VEHICLE STOPPED FOR A TRAFFIC LAW VIOLATION IF THE VEHICLE'S OWNER OR OPERATOR FAILS TO SHOW EVIDENCE OF FINANCIAL RERSPONSIBILITY.

WHEREAS, owners or operators operating vehicles in the City of El Paso are required to show evidence of financial responsibility as required under Chapter 601 of the Texas Transportation Code;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Subsection 12.08.220 (Impounding Vehicles) of the El Paso Municipal Code shall be amended to add the following subsection 12.08.220 A.21; it shall read as follows:

Section 12.08.220 Impounding Vehicles. Subsection 12.08.220 A.21:

21. When a vehicle is stopped by a police officer for an alleged violation of a city or state traffic law or other law applicable to the operation of a vehicle on the roadway and the vehicle's owner or operator fails to show evidence of financial responsibility as required under Chapter 601 of the Texas Transportation Code, as amended.

Section 2. Except as herein amended, Section 12.08.220 of the El Paso Municipal Code (Impounding Vehicles) shall remain in full force and effect.

ADOPTED this ____ day of March 2009.

CITY OF EL PASO

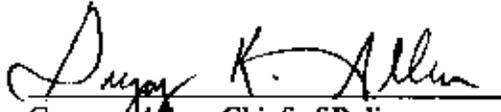
John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

Signatures Continue on Following Page

APPROVED AS TO CONTENT:



Gregory Allen, Chief of Police
El Paso Police Department

APPROVED AS TO FORM:



John R. Batoon
Assistant City Attorney