

**ORDINANCE NO. 2009-5-2**

**CARELESS AND INATTENTIVE DRIVING**

**AN ORDINANCE ESTABLISHING A LESSER OFFENSE THAN CARELESS AND PROHIBITED DRIVING WHERE THE DANGER TO PERSONS OR PROPERTY DUE TO THE CONDUCT OF THE MOTOR VEHICLES OPERATOR IS IMPRUDENT RATHER THAN HEEDLESS OR WANTON**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS:**

1. It shall be unlawful for any person to operate a motor vehicle in a careless or inattentive manner or in disregard of the safety of persons or property within the city limits of the City of Ash Flat, Arkansas.

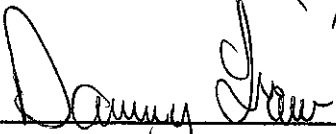
2. Careless and inattentive driving shall be considered a lesser offense than careless and prohibited driving and shall be applied in those circumstances where the conduct of the operator has been careless, inattentive, or prudent in the light of the existing circumstances and where the danger to persons or property due to the conduct of the motor vehicle's operator is imprudent rather than heedless or wanton.

3 Any person convicted of a violation of this Ordinance shall be guilty of a misdemeanor and shall be fined in any sum not exceeding One Hundred Dollars (\$100.00).

4. It has been determined by the City Council of the City of Ash Flat, Arkansas, that many individuals drive their vehicles in a careless and imprudent manner and have been allowed to escape the penalties of the law. There is a state statute prohibiting the driving of an automobile in a careless and prohibited manner with willful disregard of the rights and property of other persons. A law does not exist that prohibits the driving of a vehicle in a careless and

inattentive manner which would be a lesser offense and in most cases the driving conduct of an individual does not amount to careless and prohibited driving which creates an unreasonable risk of danger to persons or property.

PASSED and APPROVED this 12<sup>th</sup> day May, 2009.

  
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Danny Traw, Mayor

ATTEST:

  
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Charlotte Goodwin, Recorder

