

ORDINANCE NO. 021, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADDING A NEW SECTION 1418 OF THE FORT COLLINS
TRAFFIC CODE RELATING TO DRIVING WITHOUT A CURRENT
DRIVER'S LICENSE

A. On February 18, 2003, by Ordinance No. 016, 2003, the City Council adopted the Fort Collins Traffic Code (the "Traffic Code").

B. When City Council adopted the Traffic Code, it was with the understanding that the Traffic Code would most likely be subject to future amendments, not only to clarify and correct errors, but also to ensure that the Traffic Code remains consistent with Colorado traffic laws.

C. Colorado Revised Statutes Section 42-2-101 requires that a driver of a motor vehicle have a currently issued driver's license from a State Department of Motor Vehicles to lawfully drive within the State of Colorado. It likewise requires that a driver have in their immediate possession, proof of the currently valid license while operating a motor vehicle.

D. To allow law enforcement to issue citations for Driving Without a Current Driver's License, and to maintain consistency between the Traffic Code and state traffic laws, Fort Collins Police Services recommends that the Traffic Code be amended to add identical violations for failing to driver without a current driver's license as the state.

E. The City Council has determined that these Traffic Code amendments are in the best interests of the City and its residents.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that a new Section 1418 of the Fort Collins Traffic Code is hereby added to read as follows:

1418. Driving without a current driver's license - dismissal - penalties.

- (1) No person shall drive any motor vehicle upon a street, road or highway within the City unless such person has been issued a currently valid driver's or minor driver's license or an instruction permit by a State Department of Motor Vehicles.
- (2) No person who has been issued a currently valid driver's or minor driver's license or an instruction permit shall drive a type or general class of motor vehicle upon a street, road or highway within the City for which such person has not been issued the correct type or general class of license or permit.

- (3) No person who has been issued a currently valid driver's or minor driver's license or an instruction permit shall operate a motor vehicle upon a street, road or highway within the City without having such license or permit in such person's immediate possession.
- (4) A charge of a violation of subsection (3) of this section shall be dismissed by the court if the defendant elects not to pay the penalty assessment and, at or before the defendant's scheduled court appearance, exhibits to the court a currently valid driver's or minor driver's license issued to such person or an officially issued duplicate thereof if the original was lost, stolen or destroyed; provided that such currently valid driver's license or minor driver's license shall also have been valid on the date the defendant was issued the citation.
- (5) Any person who is convicted of violating subsection (3) of this section 1418 shall result in no points being assessed by the Colorado Department of Motor Vehicles against the driving privilege of the person receiving such conviction.
- (6) (a) Any person who is convicted of violating subsection (1) or (2) of this section 1418 shall result in the assessment by the Colorado Department of Motor Vehicles of three (3) points against the driving privilege of the person receiving such conviction.
- (b) A second or subsequent conviction under subsection (1) or (2) of this section 1418, when a person receiving such conviction has not subsequently obtained a valid driver's license or the correct type or general class of license, shall result in the assessment by the Department of Motor Vehicles of six (6) points against the driving privilege of the person receiving such second or subsequent conviction.

Introduced, considered favorably on first reading on March 3, 2026, and approved on second reading for final passage on April 7, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: April 17, 2026
Approving Attorney: Andrew Trevino

Exhibit: None