

ORDINANCE NO. 08-02

AN ORDINANCE OF THE COUNTY OF CARIBOU, STATE OF IDAHO, PROHIBITING THE USE OF DYNAMIC BRAKING DEVICES OR SIMILAR ENGINE DEVICES WITHIN DESIGNATED PROHIBITION AREAS IN THE COUNTY OF CARIBOU, STATE OF IDAHO; PROVIDING FOR A PENALTY FOR VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CARIBOU COUNTY COMMISSIONERS OF THE COUNTY OF CARIBOU, STATE OF IDAHO, AS FOLLOWS:

Section 1: It shall be unlawful for any person or entity to operate any motor vehicle with a Dynamic Braking Device engaged within designated areas of the County of Caribou, State of Idaho. Said designated areas will have two road signs designating the beginning and ending of the Dynamic Braking Device prohibition Area. Said road signs shall read as follows:

ENGINE BRAKES PROHIBITED NEXT
_____ MILES
Caribou County Ordinance _____

&

END OF ENGINE BRAKE
PROHIBITION AREA
Caribou County Ordinance _____

Said areas of Dynamic Braking Device Prohibition shall be designated by the Caribou County Commissioners. To establish an Engine Brake Prohibition Area, any person must make an application to the Caribou County Commissioners setting forth a proposed Engine Brake Prohibition Area. A public hearing shall be set. At the hearing, any interested party may present evidence or testimony concerning the proposed engine brake prohibition area.

The Caribou County Commissioners will then decide whether or not to establish the engine brake prohibition area. If the commissioners establish an engine brake prohibition area, the person or persons who requested the engine brake prohibition area shall be responsible for the cost of manufacturing the two signs designating the area and the cost of installing said signs.

The Caribou County Road and Bridge Supervisor will order the state approved signs. The Caribou County Road and Bridge Supervisor will also determine the amount to be paid for installation of the signs. Said amount will only include actual costs incurred by the County in obtaining and installing the signs.

Section 2: "Dynamic Braking Device" is defined as a device used primarily on trucks for the conversion of the engine from an internal combustion to air compressor for the purpose of braking. Dynamic Braking Device is also commonly referred to as a "Jacobs Brake", "Engine Brake", or "Compression Brake."

Section 3: Any person or entity which violates this Ordinance shall be guilty of a misdemeanor, and shall be punished by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed \$300.00 and/or both such fine and imprisonment.

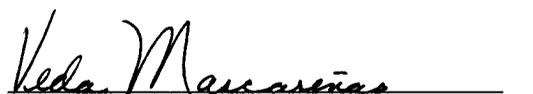
Section 4: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED BY THE BOARD OF THE COUNTY COMMISSIONERS
this 14th day of January, 2008.

CARIBOU COUNTY COMMISSIONERS


Lloyd Rasmussen, Chairman

ATTEST:


Veda Mascarenas, Clerk of Caribou County