

PART 15

TRAFFIC AND VEHICLES

CHAPTER 1

GENERAL PROVISIONS

- § 15-101 Citation of chapter.
- § 15-102 Traffic code controlling.
- § 15-103 Definitions.
- § 15-104 Adoption of state traffic code.

CHAPTER 2

ENFORCEMENT

- § 15-201 Enforcement of traffic laws; establishment of traffic control division.
- § 15-202 Direction of traffic by hand or voice.
- § 15-203 Direction of traffic by unauthorized persons.
- § 15-204 Obedience to police and fire officials.
- § 15-205 Emergency and experimental regulations.
- § 15-206 Push carts, riding animals, or driving animal drawn vehicles to comply with code.
- § 15-207 Use of coasters, rollerskates, and similar devices restricted.
- § 15-208 Public officers and employees to obey traffic regulations.
- § 15-209 Persons working on streets, exceptions.
- § 15-210 Maintenance and construction zones.
- § 15-211 Possession of valid driver's license required.
- § 15-212 Operation of vehicle on invalid license prohibited.
- § 15-213 Unlawful to operate vehicle without state vehicle license.
- § 15-214 Permitting unauthorized person to drive prohibited.
- § 15-215 Authorized emergency vehicles.
- § 15-216 Operation of vehicles on approach of authorized emergency vehicles.
- § 15-217 Accidents, duty to stop.
- § 15-218 Issuance of citation tags.
- § 15-219 Failure to obey citation.
- § 15-220 Failure to comply with traffic citations attached to parked vehicle.
- § 15-221 Presumption in reference to illegal parking.
- § 15-222 Illegal cancellation of traffic citations.
- § 15-223 Disposition and records of traffic citations, warrants and complaints.
- § 15-224 Court records; abstract to be sent to State Department of Public Safety.
- § 15-225 Insurance or certificate required.

CHAPTER 3

VEHICLE EQUIPMENT

- § 15-301 Certain vehicles prohibited; vehicles injurious to streets.
- § 15-302 Obstructive and dangerous vehicles.
- § 15-303 Equipment.
- § 15-304 Mufflers; modifications prohibited.
- § 15-305 Width, height, length and weight.
- § 15-306 Inspection of vehicles.
- § 15-307 Maintenance and adjustment of brakes.
- § 15-308 Child passenger restraint system required for certain vehicles; exemptions.

## CHAPTER 4

### SPEED REGULATIONS

- § 15-401 Speed limits generally; exceptions.
- § 15-402 School zones.
- § 15-403 Speed never to exceed that which is reasonable or prudent for existing conditions.
- § 15-404 Minimum speed requirements; exception.
- § 15-405 Obedience to maximum and minimum speed limits.

## CHAPTER 5

### DRIVING, OVERTAKING, PASSING

- § 15-501 Changing lanes; driving over medians.
- § 15-502 Driving of right side of roadway required; exceptions.
- § 15-503 When overtaking on the right is permitted.
- § 15-504 Passing vehicle proceeding in same direction.
- § 15-505 Limitations on overtaking on the left; exception.
- § 15-506 Passing vehicles proceeding in opposite direction.
- § 15-507 One-way roadways and rotary traffic islands.
- § 15-508 Following too closely.
- § 15-509 No passing zones.
- § 15-510 Following fire apparatus, emergency vehicles prohibited.
- § 15-511 Crossing fire hose.
- § 15-512 Driving through funeral or other procession prohibited; exceptions.
- § 15-513 Drivers in a procession.
- § 15-514 Funeral processions to be identified.
- § 15-515 Overtaking and passing in school zones.
- § 15-516 Overtaking and passing school bus.
- § 15-517 School bus requirements; lights; signs; painting.
- § 15-518 Driving of vehicles on sidewalk prohibited; exception.
- § 15-519 Limitations on backing.
- § 15-520 Clinging to vehicles prohibited.
- § 15-521 Entering and leaving controlled access highways.
- § 15-522 Reckless driving.
- § 15-523 Careless or negligent driving, stopping, or parking.
- § 15-524 Driving while under the influence of drugs, alcohol.

|          |  |
|----------|--|
| § 15-525 | Driving while impaired.  |
| § 15-526 | Evidence of intoxication or impaired ability in prosecution of DUI.  |
| § 15-527 | Person involved in personal injury accident who has certain blood alcohol concentration or is under influence of other intoxicating substance; punishment. |
| § 15-528 | Attention to driving required.   |
| § 15-529 | Speed contest, illegal acceleration prohibited.  |
| § 15-530 | Permits required for parades and processions.  |
| § 15-531 | Driving through safety zone.   |
| § 15-532 | Starting parked vehicle.   |
| § 15-533 | Opening and closing vehicle doors.   |
| § 15-534 | Obstructions to driver's view or driving mechanism.  |
| § 15-535 | Boarding or alighting from vehicles.   |
| § 15-536 | Unlawful riding.   |
| § 15-537 | Private service drives.  |
| § 15-538 | Designation of truck routes.   |
| § 15-539 | Loads on vehicles.   |
| § 15-540 | Vehicle approaching or entering intersection.  |
| § 15-541 | Vehicle turning left at intersection.  |
| § 15-542 | Vehicle approaching a "Yield Right-of-Way" sign.   |
| § 15-543 | Vehicle entering through highway.  |
| § 15-544 | Vehicles facing stop, slow, warning or caution signal.   |
| § 15-545 | Through streets.   |
| § 15-546 | Intersections where stop or yield required.  |
| § 15-547 | Stop or yield sign construction and placement.   |
| § 15-548 | Vehicle entering stop intersection.  |
| § 15-549 | Vehicle entering yield intersection.   |
| § 15-550 | Vehicle entering highway from private road or driveway.  |
| § 15-551 | Vehicles entering traffic from parking.  |
| § 15-552 | Emerging from the alley, driveway, or building.  |
| § 15-553 | Stop when traffic obstructed.  |
| § 15-554 | Obedience to signal indicating approach of train.  |
| § 15-555 | Certain vehicles to stop at all railroad grade crossings.  |
| § 15-556 | Composing, sending, reading text message while vehicle in motion prohibited.   |

## CHAPTER 6

### TRAFFIC CONTROL DEVICES

|          |  |
|----------|--|
| § 15-601 | Authority to install traffic control devices.                            |
| § 15-602 | Traffic control devices; uniform requirements.                           |
| § 15-603 | Obedience to official traffic control devices.                           |
| § 15-604 | When official traffic control devices required for enforcement purposes. |
| § 15-605 | Traffic control signal legend.   |
| § 15-606 | Pedestrians; signal indicators; regulations.                             |
| § 15-607 | Flashing signals.  |

- § 15-608 Unauthorized traffic control devices prohibited.
- § 15-609 Defacement of traffic control devices.
- § 15-610 Play streets, authority to establish.
- § 15-611 Play streets, restriction on use.
- § 15-612 Designation of crosswalks and safety zones.
- § 15-613 Traffic lanes.

## CHAPTER 7

### STOPPING, STANDING AND PARKING GENERALLY

- § 15-701 Illegal parking declared public nuisance.
- § 15-702 Application of standing or parking regulations.
- § 15-703 Parking time limits may be established, signs.
- § 15-704 Parking more than twenty-four (24) hours.
- § 15-705 Brakes; motor not to be left running; unattended vehicles.
- § 15-706 Signs or markings indicating angle parking; angle parking on Broadway, Main.
- § 15-707 Obedience to angle-parking signs or markings.
- § 15-708 Parking in spaces marked off.
- § 15-709 Permits for loading or unloading at an angle to the curb.
- § 15-710 Hazardous or congested places; stopping, standing, parking.
- § 15-711 Stopping, standing or parking prohibited in specified places.
- § 15-712 Blocking of intersection or crosswalk prohibited.
- § 15-713 Standing or parking on one-way roadway.
- § 15-714 Standing or parking on left side of one-way streets.
- § 15-715 Parking prohibited at intersections.
- § 15-716 Parking in alleys, blocking driveways.
- § 15-717 Entry on private property; trespass; evidence; burden of proof.
- § 15-718 Parking of certain commercial vehicles on public streets in residential and commercial areas.
- § 15-719 Handicapped parking.
- § 15-720 Parking for certain purposes prohibited.
- § 15-721 Method of parking, standing or parking close to curb.
- § 15-722 Negligent parking.
- § 15-723 Right-of-way to parallel parking space.

## CHAPTER 8

### LOADING

- § 15-801 Definitions.
- § 15-802 Curb loading zones, designations.
- § 15-803 Loading zones to be used only for designated purpose.
- § 15-804 Stopping, standing or parking in passenger curb loading zone.
- § 15-805 Stopping, standing or parking in freight car loading zone.
- § 15-806 Designation of public carrier stops and stands.
- § 15-807 Use of bus and taxicab stands restricted.

§ 15-808 Stopping, standing and parking of buses and taxis.

## CHAPTER 9

### TURNING MOVEMENTS

§ 15-901 Turning markers or indicators.  
§ 15-902 Designation of restricted turns.  
§ 15-903 U-Turns.  
§ 15-904 Position and method of turning.  
§ 15-905 Turning movements and required signals.  
§ 15-906 Means of giving turn signals.  
§ 15-907 Method of giving hand and arm signals.  
§ 15-908 Turns into or from alleys.

## CHAPTER 10

### PEDESTRIANS

§ 15-1001 Pedestrians subject to traffic control signals.  
§ 15-1002 Pedestrian's right-of-way at crosswalks.  
§ 15-1003 Pedestrians to use right half of crosswalk.  
§ 15-1004 Crossing at right angles.  
§ 15-1005 When pedestrians shall yield.  
§ 15-1006 Pedestrians walking along roadways.  
§ 15-1007 Pedestrians prohibited from soliciting rides, business or donations from vehicle occupants.  
§ 15-1008 Drivers to exercise due care.  
§ 15-1009 Crossing prohibited.  
§ 15-1010 Obedience of pedestrians to railroad signals.

## CHAPTER 11

### BICYCLES

§ 15-1101 Application of bicycle regulations.  
§ 15-1102 Application of traffic laws to bicycles.  
§ 15-1003 Obedience to traffic control devices.  
§ 15-1004 Riding on bicycles.  
§ 15-1005 Riding on roadways and bicycle paths.  
§ 15-1006 Speed of bicycle.  
§ 15-1107 Emerging from alley or driveway.  
§ 15-1108 Carrying articles.  
§ 15-1109 Parking.  
§ 15-1110 Riding on sidewalks.  
§ 15-1111 Lamps and equipment on bicycles.  
§ 15-1112 Impoundment of bicycles.

## CHAPTER 12

### WRECKER AND TOWING REGULATIONS

§ 15-1201 Rotation of wrecker operations services.

## CHAPTER 13

### MOTORCYCLES

§ 15-1301 Operator to ride on permanent seat.  
§ 15-1302 Carrying passengers.  
§ 15-1303 Head gear for operators and riders.  
§ 15-1304 Windshield goggles or face shield for operator.  
§ 15-1305 Maximum height of handlebars.  
§ 15-1306 Rear view mirrors.  
§ 15-1307 Brakes.  
§ 15-1308 Lights generally.  
§ 15-1309 Stop lamp.  
§ 15-1310 Speedometer.  
§ 15-1311 Fenders.  
§ 15-1312 Rider not to hold to other moving vehicles.  
§ 15-1313 Passing other vehicles between traffic lanes.  
§ 15-1314 Speed limit.

## CHAPTER 14

### IMPOUNDMENT OF VEHICLES

§ 15-1401 Purpose.  
§ 15-1402 Authorized.  
§ 15-1403 Illegal trespass by vehicle.  
§ 15-1404 Seized and impounded vehicle storage.  
§ 15-1405 Notice to be given to owner of impounded vehicle if known.  
§ 15-1406 Place of impoundment.  
§ 15-1407 Duration; release.  
§ 15-1408 Redemption of impounded vehicles.

## CHAPTER 15

### PENALTIES

§ 15-1501 Obedience to traffic code.  
§ 15-1502 Penalties.

## CHAPTER 1

### GENERAL PROVISIONS

- § 15-101 Citation of chapter.
- § 15-102 Traffic code controlling.
- § 15-103 Definitions.
- § 15-104 Adoption of state traffic code.

#### § 15-101 CITATION OF CHAPTER.

This chapter and all amendments hereto may be cited or referred to as the “Traffic Code, City of Choctaw” and may so appear upon all official documents, records or instruments. (Prior Code, Chapter 20, as amended)

#### § 15-102 TRAFFIC CODE CONTROLLING.

Except as specifically provided by law as set forth in this chapter, the traffic code shall be controlling in the use of all boundary line roads, streets and highways; and city streets, alleys, thoroughfares, parks, parkways, or any other public right-of-way or municipally owned land, by pedestrians and by vehicles of every kind whether self-propelled or otherwise and whether moving or at rest. (Prior Code, Chapter 20, as amended; Ord. No. 333, 9/8/86)

#### § 15-103 DEFINITIONS.

As used herein:

- A. “Alley” means any narrow highway ordinarily located in the interior portion of platted blocks and ordinarily used for service or delivery purposes at the rear of stores, dwellings or buildings;
- B. “Ambulance” means a motor vehicle constructed, reconstructed or arranged for the purpose of transporting ill, sick, or injured persons;
- C. “Bicycle” means a device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is more than twenty (20) inches in diameter;
- D. “Bus” means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation;
- E. “Controlled access highway” means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway;
- F. “Commercial vehicle” means every vehicle designed, maintained or used primarily for

the transportation of property;

- G. “Center lane” means any clearly marked center lane. If the center lane is not marked and no cars are parked on the roadway, then the center line is equally distanced between the curbs or traveled portion of the roadway. In the event a vehicle or vehicles are parked on one side of the roadway only, then the center lane is equally distanced from the side of the parked vehicle or vehicles toward the street and curb on the opposite roadway. If vehicles be parked on each side of the roadway, then the center lane is equally distanced from the edges of the parked vehicles;
- H. “Cross walk” means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs; or, in the absence of curbs, from the edges of the traversable roadway. “Cross walk” also means any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;
- I. “Drive” or “to drive” means to drive, operate or be in actual physical control of a vehicle;
- J. “Driver” or “operator” means a person who drives or is in actual physical control of a vehicle;
- K. “Emergency” means an unforeseeable occurrence of temporary duration causing or resulting in an abnormal increase in traffic volume, cessation or stoppage of traffic movement, or creation of conditions hazardous to normal traffic movement, including fire, storm, accident, riot, or spontaneous assembly of large numbers of pedestrians in such a manner as to impede the flow of traffic;
- L. “Emergency vehicle” or “authorized emergency vehicle” means vehicles of the fire department, police vehicles and ambulances;
- M. “Highway”, see street;
- N. “Intersection” means:
  - 1. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadway of two (2) streets, which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets join at any other angle, may come in conflict; or
  - 2. Where a street includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided street by an intersecting street, shall be regarded as a separate intersection. In the event such intersecting street also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such streets shall be regarded as separate intersections;
- O. “Laned roadway” means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic;



- P. “Limited access highway”, see controlled access highway;
- Q. “Loading zone” means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material. A freight curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of freight; a passenger curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of passengers.
- R. “Limit lines” means boundaries of parking areas, loading zones and non-traffic areas and lines indicating the proper place for stopping where stops are required;
- S. “Motor cycle, motor scooter, and motor bicycle” means a motor vehicle, other than a tractor, having a seat or saddle for the use of the driver and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor;
- T. “Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails;
- U. “Official time” shall mean whenever certain hours are named herein, they shall mean Central Standard Time, or Daylight Savings Time, as may be in current use in the city;
- V. “Official traffic control device” means all signs, signals, markings, and devices not inconsistent with this ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;
- W. “Park or parking” means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in loading or unloading merchandise or passengers, providing such loading and unloading is in an authorized place;
- X. “Pedestrian” means any person afoot;
- Y. “Police officer” means every officer of the municipal police department, or any officer authorized to direct or regulate traffic, or to make arrests for violation of traffic regulations;
- Z. “Private road or roadway” means a way or place in private ownership or leading to property in private ownership and used for vehicular traffic by the owner and those having express or implied permission from the owner;
- AA. “Railroad” means a carrier of persons or property upon cars other than streetcars operated upon stationary rails;
- BB. “Railroad train” means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

- CC. “Residence district” means the territory contiguous to and including a highway not comprising a business district;
- DD. “Right-of-way” means the privilege of the immediate use of the roadway. It is the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other;
- EE. “Roadway” means that portion of a street improved, designed, ordinarily used for vehicular travel, exclusive of the shoulders. In the event a street includes two (2) or more separate roadways, the term roadway, as used herein, shall refer to any such roadway, separately, but not to all such roadways, collectively;
- FF. “Safety zone” means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times, while set apart as a safety zone;
- GG. “School bus” means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school; provided, however, that this definition of School bus shall not be extended to include buses normally used in city transit which may be used part time for the transportation of school children during some portion of the day;
- HH. “School zone” means all streets or portions of streets immediately adjacent to a school, or school ground, where same is adjacent and for a distance of three hundred (300) feet in each direction;
- II. “Sidewalk” means that portion of a street between the curb lines or at lateral lines of the roadway and adjacent property lines, intended for use of pedestrians;
- JJ. “Stand” or “standing” means any stopping or halting of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers;
- KK. “Stop”, when required, shall mean the complete cessation from movement;
- LL. “Stop” or “stopping”, when prohibited, means any halting even momentarily of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic signal;
- MM. “Street” or “highway” means the entire width between the boundary lines of every way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular traffic;
- NN. “Through street” or “highway” means a street or boulevard or highway or portion thereof at the entrances of which:

1. Vehicular traffic from intersecting streets or highways is required by law to come to a full stop before entering or crossing; and
  2. Stop signs are erected as provided in this part.
- OO. “Traffic” means pedestrians, ridden or herded animals, vehicles and other conveyances, either singularly or together, while using any highway or street for purpose of travel;
- PP. “Traffic control devices” or “signals” means any device legally authorized and used for the purpose of regulating, warning or guiding traffic;
- QQ. “U-turn” means a turn by which a vehicle reverses its course of travel on the same street; and
- RR. “Vehicle” means every device in, upon, or by which any person or property is, or may be transported, or drawn, upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks. (Prior Code, Chapter 20, as amended)

State Law Reference: Definitions, state traffic code, 47 O.S. §§ 1-101 et seq.

§ 15-104      ADOPTION OF STATE TRAFFIC CODE.

There is hereby adopted by reference and made a part of this code all of the provisions of Title 47 of the Oklahoma Statutes. All of these provisions are hereby made a part of the traffic ordinances of the city. All of the provisions found in these chapters are hereby vitalized as provided in the laws by this section, specific reference to which is hereby made, as well as all subsequent amendments to the laws, and all of the laws as well as amendments thereto shall be in full force and effect within the city insofar as the same are not modified by other provisions in this part or amendments thereto. (Prior Code, Chapter 20, as amended)

State Law Reference: State rules of the road, 47 O.S. §§ 10-101 et seq; state motor vehicle code, 47 O.S. §§ 1-101 et seq.

## CHAPTER 2

### ENFORCEMENT

- § 15-201 Enforcement of traffic laws; establishment of traffic control division.
- § 15-202 Direction of traffic by hand or voice.
- § 15-203 Direction of traffic by unauthorized persons.
- § 15-204 Obedience to police and fire officials.
- § 15-205 Emergency and experimental regulations.
- § 15-206 Push carts, riding animals, or driving animal drawn vehicles to comply with code.
- § 15-207 Use of coasters, roller skates, and similar devices restricted.
- § 15-208 Public officers and employees to obey traffic regulations.
- § 15-209 Persons working on streets, exceptions.
- § 15-210 Maintenance and construction zones.
- § 15-211 Possession of valid driver's license required.
- § 15-212 Operation of vehicle on invalid license prohibited.
- § 15-213 Unlawful to operate vehicle without state vehicle license.
- § 15-214 Permitting unauthorized person to drive prohibited.
- § 15-215 Authorized emergency vehicles.
- § 15-216 Operation of vehicles on approach of authorized emergency vehicles.
- § 15-217 Accidents, duty to stop.
- § 15-218 Issuance of citation tags.
- § 15-219 Failure to obey citation.
- § 15-220 Failure to comply with traffic citations attached to parked vehicle.
- § 15-221 Presumption in reference to illegal parking.
- § 15-222 Illegal cancellation of traffic citations.
- § 15-223 Disposition and records of traffic citations, warrants and complaints.
- § 15-224 Court records; abstract to be sent to State Department of Public Safety.
- § 15-225 Insurance or certificate required.

§ 15-201 ENFORCEMENT OF TRAFFIC LAWS; ESTABLISHMENT OF TRAFFIC CONTROL DIVISION.

It is the duty of the officers of the police department or any officers that are assigned by the chief of police to enforce all street traffic laws of this city and all the state vehicle laws applicable to street traffic in this city. Officers of the department shall make arrests for traffic violations, investigate accidents, and cooperate with other officers in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the department by this part and any other traffic ordinances of this city. (Prior Code, Chapter 20, as amended)

§ 15-202 DIRECTION OF TRAFFIC BY HAND OR VOICE.

- A. Officers of the police department or any officers designated by the chief of police are hereby authorized to direct traffic by voice, hand, or signal in conformance with traffic laws and ordinances. In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions

may require notwithstanding the provisions of the traffic laws and ordinances.

- B. Officers of the fire department, when at the scene of a fire, or other emergency, may direct or assist the police in directing traffic in the immediate vicinity. (Prior Code, Chapter 20, as amended)

§ 15-203      DIRECTION OF TRAFFIC BY UNAUTHORIZED PERSONS.

No unauthorized person shall direct or attempt to direct traffic, except in case of emergency where no officer is present. (Prior Code, Chapter 20, as amended)

§ 15-204      OBEDIENCE TO POLICE AND FIRE OFFICIALS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official. (Prior Code, Chapter 20, as amended)

§ 15-205      EMERGENCY AND EXPERIMENTAL REGULATIONS.

The city manager, subject to any directions which the city council may give by motion or resolution, is empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this city and to make temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days. (Prior Code, Chapter 20, as amended)

§ 15-206      PUSH CARTS, RIDING ANIMALS, OR DRIVING ANIMAL-DRAWN VEHICLES TO COMPLY WITH CODE.

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, is subject to the provisions of this part applicable to the driver of any vehicle, except those provisions of this part which by their very nature can have no application. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-104.

§ 15-207      USE OF COASTERS, ROLLERSKATES, AND SIMILAR DEVICES RESTRICTED.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a cross walk; and, when so crossing, such person is subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinances of this city. (Prior Code, Chapter 20, as amended)

§ 15-208      PUBLIC OFFICERS AND EMPLOYEES TO OBEY TRAFFIC REGULATIONS.

The provisions of this part shall apply to the driver of any vehicle owned by or used in the service of the United States Government, any state, county, city or governmental unit or agency,

as well as to other vehicles. It is unlawful for any such driver to violate any of the provisions of this part, except as otherwise permitted in this part by state statute. This part shall not apply to the military forces of the United States and organizations of the National Guard when performing any military duty. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Municipal drivers to obey State rules of Road, 47 O.S. § 16-103.

§ 15-209      PERSONS WORKING ON STREETS, EXCEPTIONS.

Unless specifically made applicable, the provisions of this part, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles, and other equipment while actually engaged in construction, maintenance, or repair of public utilities. All street or highway and public utility operations shall be protected by adequate warning signs, signals, devices, or flag persons. The provisions of this part shall apply to any of the persons and vehicles exempted by this section when traveling to and from such work. (Prior Code, Chapter 20, as amended)

§ 15-210      MAINTENANCE AND CONSTRUCTION ZONES.

- A. City personnel or contractors, while repairing or improving the streets of the city, and city personnel and utility companies, when installing, improving, or repairing lines or other utility facilities in the streets, are hereby authorized as necessary, subject to control by the city clerk, to close any street or section thereof to traffic during such repair, maintenance, or construction. In exercising this authority, the appropriate personnel, contractor or utility company shall erect, or cause to be erected, proper control devices and barricades to warn and notify the public that the street has been closed to traffic.
- B. When any street has been closed to traffic under the provisions of Subsection A of this section and traffic control devices or barricades have been erected, it is unlawful for any person to drive any vehicle through, under, over, or around such traffic control devices or barricades, or otherwise to enter the closed area. The provisions of this subsection shall not apply to persons entering the closed area or zone for the protection of lives or property. Persons having their places of residence or places of business within the closed area may travel, when possible to do so, through the area at their own risk.
- C. Whenever construction, repair, or maintenance of any street or utility line or facility is being performed under traffic, the city personnel, contractor, or utility company concerned shall erect, or cause to be erected, traffic control devices to warn and guide the public. Every person using the street shall obey all signs, signals, markings, flag persons, or other traffic control devices which are placed to regulate, control and guide traffic through the construction or maintenance area. (Prior Code, Chapter 20, as amended)

§ 15-211      POSSESSION OF VALID DRIVER'S LICENSE REQUIRED.

- A. It is unlawful for any person who does not have a driver's license as required by state law for operation of a motor vehicle upon the state highways to operate a motor vehicle within the city. Every such licensee shall have his driver's license in his immediate

possession at all times when operating a motor vehicle and shall display the same upon demand of any police officer.

- B. No person shall operate a motor vehicle in any manner in violation of any restriction that may be imposed in a restricted license issued to him with respect to the type of, or special mechanical control devices required on a motor vehicle or any other restriction applicable to the licensee as the state may determine. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Driver=s licenses, 47 O.S. § 6-101.

§ 15-212 OPERATION OF VEHICLE ON INVALID LICENSE PROHIBITED.

No person shall operate a motor vehicle when his privilege to do so is canceled, suspended, revoked or denied. Any person convicted of violating this section shall be punished as provided in § 1-108 of this code. Each act of driving on the streets or highways as prohibited by this section shall constitute a separate offense. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 6-301.

§ 15-213 UNLAWFUL TO OPERATE VEHICLE WITHOUT STATE VEHICLE LICENSE.

It is unlawful to operate a vehicle of any kind upon a street of the city without a state vehicle license as may be required by law or to fail to display the state vehicle license as required by law. (Prior Code, Chapter 20, as amended)

§ 15-214 PERMITTING UNAUTHORIZED PERSON TO DRIVE PROHIBITED.

No person shall authorize or knowingly permit any vehicle owned by him, registered in his name, or under his control, to be driven, parked or stopped upon any highway by any person who is not authorized under the provisions of this part and the laws of the state to operate such vehicle. (Prior Code, Chapter 20, as amended)

§ 15-215 AUTHORIZED EMERGENCY VEHICLES.

- A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or ordinance or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.
- B. The driver of an authorized emergency vehicle may do any of the following when in pursuit of an actual or suspected violator of the law or ordinance or when responding to but not upon returning from a fire alarm:
  - 1. Park or stand, irrespective of the provisions of this part;
  - 2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary to safe operation;

3. Exceed the maximum speed limits so long as life or property is not endangered; or
  4. Disregard regulations governing direction of movement or turning in specific directions.
- C. The exemptions granted in this section to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible or visual signals as required by law, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.
- D. The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Emergency vehicle driving rules, 47 O.S., § 11-106.

§ 15-216      OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

- A. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- B. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Authorized emergency vehicles and their equipment, 47 O.S. §§ 11-106, 12-218; approach of emergency vehicles, 47 O.S. § 11-405.

§ 15-217      ACCIDENTS, DUTY TO STOP.

- A. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or property shall immediately stop his vehicle at the scene of such accident, or as close thereto as possible, return to and remain at the scene of the accident until:
1. He is authorized to leave by a police officer; or
  2. If no police officer is called or present, shall give name, address and the registration of his vehicle and, upon request, exhibit his driver's license and insurance security verification form to the person injured or the driver or occupant



of, or person attending, any vehicle collided with.

- B. The driver of any vehicle involved in the accident shall render to any person injured in accident reasonable assistance, including the carrying or making arrangement for the carrying of such persons to a physician, surgeon or hospital for medical and surgical treatment if it is apparent that this treatment is necessary, or if such is requested by the injured person. Each such stop shall be made without obstructing traffic more than is necessary.
- C. The driver of a vehicle who is in any manner involved in an accident resulting in bodily injury to or death of any person or in which it is apparent that damage to one vehicle or to the property is in excess of Three Hundred Dollars (\$300.00) shall, by the quickest means of communication, report such accident to a police officer or to the police department. If a driver makes out a written report of the accident in the office of the police department as soon as practicable after the accident, which report is to be forwarded to the State Department of Public Safety in accordance with state law, the driver shall be deemed to be in compliance with this section.
- D. Any person failing to stop or to comply with any of the requirements of this section shall be guilty of a misdemeanor and, upon conviction thereof, may be fined as provided in § 1-108 of this code. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Accident reports, 47 O.S. §§ 10-101 et. seq.

§ 15-218      ISSUANCE OF CITATION TAGS.

- A. The chief of police is hereby authorized and directed to supply police officers with citation tags in sets, each set consisting of an original and duplicate copies, for the purpose of giving notice to persons violating any provision of this part.
- B. Notice may be given by delivering the tags to the violator or by affixing it to the vehicle involved in the violation.
- C. Each citation tag shall direct the violator to appear and to present such tag at a designated place on or before a date and hour specified thereon.
- D. Nothing in this section shall be construed to abridge the power of a police officer to arrest any violator and take him into custody. (Prior Code, Chapter 20, as amended)

§ 15-219      FAILURE TO OBEY CITATION.

It is unlawful and an offense for any person to violate his written promise to appear, given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which citation was originally issued. (Prior Code, Chapter 20, as amended)

§ 15-220      FAILURE TO COMPLY WITH TRAFFIC CITATIONS ATTACHED TO PARKED VEHICLE.

If a violator of the restrictions on stopping, standing, or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of time as specified in the citation, the clerk of the municipal court may send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for the period stated, a warrant of arrest may be issued. On any occasion where two (2) or more such traffic citations have been affixed on the same motor vehicle and the traffic citations have been disregarded, a warrant of arrest may be issued without sending the letter provided in this section. (Prior Code, Chapter 20, as amended)

§ 15-221      PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.

- A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any law or regulation, together with proof that the defendant named in the complaint was at the time of the parking the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.
- B. The presumption in Subsection A of this section shall apply only when the procedure as prescribed in this chapter has been followed. (Prior Code, Chapter 20, as amended)

§ 15-222      ILLEGAL CANCELLATION OF TRAFFIC CITATIONS.

It is unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than is provided by this chapter. (Prior Code, Chapter 20, as amended)

§ 15-223      DISPOSITION AND RECORDS OF TRAFFIC CITATIONS, WARRANTS, AND COMPLAINTS.

- A. Every police officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or any traffic law of this city, shall deposit the original and a duplicate copy of the citation with his immediate superior officer who shall cause the original to be delivered to the municipal court.
- B. Upon the filing of the original citation in the municipal court, the citation may be disposed of only by trial in the court or by other official action by a judge of the court, including forfeiture of bail or by payment of a fine.
- C. The chief of police shall maintain a record of all warrants issued by the municipal court which are delivered to the police department for service, and of the final disposition of the warrants.
- D. No member of the police department or other officer or public employee shall dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this chapter. (Prior Code, Chapter 20, as amended)

§ 15-224      COURT RECORDS; ABSTRACT TO BE SENT TO STATE DEPARTMENT OF PUBLIC SAFETY.

- A. The municipal judge shall keep a record of every traffic citation deposited with or presented to the court and shall keep a record of every official action by the court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture.
- B. Within ten (10) days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicles on highways, the municipal judge or clerk of the court in which the conviction was had or bail was forfeited shall prepare and immediately forward to the State Department of Public Safety a certified abstract of the court's record of the case. An abstract need not be made of any conviction involving the illegal parking or standing of a vehicle.
- C. The abstract must be made upon a form furnished by the State Department of Public Safety and shall include the name and address of the party charged, the number of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail was forfeited, and the amount of the fine or forfeiture. (Prior Code, Chapter 20, as amended)

Cross Reference: Municipal court, §§ 6-101 et seq.

§ 15-225      INSURANCE OR CERTIFICATE REQUIRED.

- A. The owner of a motor vehicle registered in this state and operating the vehicle within the city's boundaries, shall carry in such vehicle at all times a current owner's security verification form listing the vehicle, or an equivalent form which has been used by the State Department of Public Safety which shall be produced by any driver thereof upon request for inspection by any law enforcement officer and, in case of a collision, the form shall be shown upon request to any person affected by the collision.
- B. The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the department during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes:
  - 1. Any vehicle owned or leased by the federal or state government, or any agency or political subdivision thereof;
  - 2. Any vehicle bearing the name, symbol or logo of the business, corporation or utility on the exterior and which is in compliance with the Compulsory Insurance Law according to records of the Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy;
  - 3. Any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission;

4. Any licensed taxicab; or
  5. Any vehicle owned by a licensed motor vehicle dealer.
- C. For the purpose of this section, the following terms shall have the meanings respectively ascribed to them in this section:
1. “Owner’s policy” means an owner’s policy of liability insurance which:
    - a. Shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted;
    - b. Shall insure the person named therein and insure any other person, except as provided in Subparagraph C of this paragraph, using an insured vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, operation or use of such vehicle;
    - c. May provide for exclusions from coverage in accordance with existing laws; and
    - d. Shall be issued by an authorized carrier providing coverage in accordance with § 7-204 of Title 47 of the Oklahoma Statutes;
  2. “Operator’s Policy” means an operator’s policy of liability insurance which shall insure the named person against loss from the liability imposed upon him by law for damages arising out of the operation or use by him of any motor vehicle not owned by him, subject to the same limits of liability required in an owner’s policy;
  3. “Security” means:
    - a. A policy or bond meeting the requirements of § 7-204 of Title 47 of the Oklahoma Statutes;
    - b. A deposit of cash or securities having the equivalency of limits required under § 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond; or
    - c. Self-insurance, pursuant to the provisions of § 7-503 of Title 47 of the Oklahoma Statutes, having the equivalency of limits required under § 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond;
  4. “Compulsory Insurance Law” means the law requiring liability insurance in conjunction with the operation of a motor vehicle in this state as found in Article VI, Chapter 7, and § 7-606 of Title 47 of the Oklahoma Statutes;

5. "Security verification form" means a form, approved by the State Board for Property and Casualty Rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma.
- D. Every operator of a motor vehicle registered in this state, shall, while operating or using such vehicle within the city's boundaries, carry either an operator's or an owner's security verification form issued by a carrier, providing the operator is not excluded from coverage thereon; or an equivalent form issued by the Department of Public safety, reflecting liability coverage.
- E. An owner or operator who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the department upon request of any peace officer of the department shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as provided in § 1-108 of this code.
- F. A sentence imposed for any violation of this section may be suspended or deferred in whole or in part by the court.
- G. Any person producing proof in court that a current security verification form or equivalent form which has been issued by the department reflecting this liability coverage for such person was in force at the time of the alleged offense shall be entitled to dismissal of such charge.
- H. Upon conviction, bond forfeiture or deferral of sentence, the court clerk shall forward an abstract to the State Department of Public Safety within ten (10) days reflecting the action taken by the court. (Ord. No. 242, 11/1/83, in part)

## CHAPTER 3

### VEHICLE EQUIPMENT

- § 15-301 Certain vehicles prohibited; vehicles injurious to streets.
- § 15-302 Obstructive and dangerous vehicles.
- § 15-303 Equipment.
- § 15-304 Mufflers; modifications prohibited.
- § 15-305 Width, height, length and weight.
- § 15-306 Inspection of vehicles.
- § 15-307 Maintenance and adjustment of brakes.
- § 15-308 Child passenger restraint system required for certain vehicles; exemptions.

#### § 15-301 CERTAIN VEHICLES PROHIBITED; VEHICLES INJURIOUS TO STREETS.

No vehicle or object which injures, or is likely to injure the surface of a street, shall be driven or moved on any street. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Required equipment on vehicles, 47 O.S. §§ 12-101 et seq.

#### § 15-302 OBSTRUCTIVE AND DANGEROUS VEHICLES.

No person shall drive any vehicle in such condition, so constructed, or so loaded, as to cause delay or be likely to cause delay in traffic, or as to constitute a hazard to persons or property, except by permit issued by the chief of police and in accordance with the terms of such permit. (Prior Code, Chapter 20, as amended)

#### § 15-303 EQUIPMENT.

Every vehicle operated upon the streets of the city shall be equipped as required by law. It is unlawful to operate a vehicle upon a street of the city which is not equipped as required by law. It is unlawful to fail to use such equipment in the manner required by law, or to use it in a manner prohibited by law. It is unlawful to operate a vehicle which has equipment prohibited by law upon a street of the city. (Prior Code, Chapter 20, as amended)

*State Law Reference:* For state law relating to equipment, see 47 O.S. §§ 12-201 et seq.

#### § 15-304 MUFFLERS; MODIFICATIONS PROHIBITED.

Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a street. No person shall modify the exhaust system of a motor vehicle in any manner which will amplify or increase the noise or sound emitted louder than that emitted by the muffler originally installed on the vehicle. (Prior code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-402.

§ 15-305      WIDTH, HEIGHT, LENGTH, AND WEIGHT.

- A. No person shall drive or convey through any street any vehicle the width, length, height, weight, or load of which exceeds that authorized by state law, except in accordance with a permit issued by state authority or by the chief of police.
- B. No person shall operate any vehicle exceeding a carry weight in excess of two (2) tons or two (2) axles or more at any time upon any street or streets within the city except those streets designated for such operation by resolution of the city council of the city or except as provided in § 15-538 of this code.
- C. The prohibition in Subsection B hereof shall not apply to vehicles commonly known as recreation vehicles. (Prior Code, Chapter 20, as amended; Ord. No. 298, 11/5/85)

*State Law Reference:* For state law relating to size, weight, and load, see 47 O.S. §§ 14-101 et seq.

*Cross Reference:* See also § 15-538 of this code on truck routes.

§ 15-306      INSPECTION OF VEHICLES.

Police officers shall have authority to inspect and test any vehicle upon the streets of the city at any time to determine whether it is safe, whether it is properly equipped, and whether its equipment is in proper adjustment and repair. (Prior Code, Chapter 20, as amended)

§ 15-307      MAINTENANCE AND ADJUSTMENT OF BRAKES.

All vehicle brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (Prior Code, Chapter 20, as amended)

§ 15-308      CHILD PASSENGER RESTRAINT SYSTEM REQUIRED FOR CERTAIN VEHICLES; EXEMPTIONS.

- A. Every driver when transporting a child under four (4) years of age in a motor vehicle operated on the roadways, streets, or highways of this state shall provide for the protection of the child by properly using a child passenger restraint system or a properly secured seat belt in the rear seat of the motor vehicle. For purposes of this act, a child passenger restraint system@ means an infant or child passenger restraint system that meets the federal standards for crash-tested restraint systems as set by the United States Department of Transportation.
- B. Children four (4) or five (5) years of age shall be protected by use of a child passenger restraint system or a seat belt.
- C. The provisions of this section shall not apply for:
  - 1. A nonresident driver transporting a child in this state;

2. The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to state or federal laws;
  3. The driver of an ambulance or emergency vehicle;
  4. A driver of a vehicle if all of the seat belts in the vehicle are in use; and
  5. The transportation of children who for medical reasons are unable to be placed in such devices.
- D. A law enforcement officer is hereby authorized to stop a vehicle if it appears that the driver of the vehicle has violated the provisions of this section and to give an oral warning to the driver. The warning shall advise the driver of the possible danger to children resulting from the failure to install or use a child passenger restraint system or seat belts in the motor vehicle.

State Law Reference: Similar provisions, 47 O.S. § 11-1112.



## CHAPTER 4

### SPEED REGULATIONS

- § 15-401 Speed limits generally; exceptions.  
§ 15-402 School zones.  
§ 15-403 Speed never to exceed that which is reasonable or prudent for existing conditions.  
§ 15-404 Minimum speed requirements; exception.  
§ 15-405 Obedience to maximum and minimum speed limits.

§ 15-401 SPEED LIMITS GENERALLY; EXCEPTIONS.

- A. No vehicle shall be driven at a greater speed than twenty-five (25) miles per hour upon any street or highway within the city except:
1. Emergency vehicles being lawfully driven as provided in this code;
  2. When a different speed limit is otherwise designated and posted;
  3. When a different speed limit is established in this code; and
  4. When a special hazard exists that requires a lower speed for compliance with § 15-403 of this code.
- B. The city council, by motion or resolution, may reduce or increase the speed limits provided in this code, and, when it does, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit. (Prior Code, Chapter 20, as amended)

State Law Reference: Basic and minimum speed rules, 47 O.S. §§ 11-801, 11-804.

Cross Reference: Speed contests, illegal acceleration, see § 15-529 of this code.

§ 15-402 SCHOOL ZONES.

No vehicle shall be driven at a greater speed than that speed posted during the hours posted on any street adjacent to any school in a designated school zone on days when school is in session. (Prior Code, Chapter 20, as amended)

State Law Reference: Local authority to set speed limits, 47 O.S. §§ 15-102, 11-803.

Cross Reference: Train speed limits, § 16-204; bicycle speed limits, § 15-1106; motorcycles, § 5-1314.

§ 15-403 SPEED NEVER TO EXCEED THAT WHICH IS REASONABLE OR PRUDENT FOR EXISTING CONDITIONS.

No person shall drive a vehicle at a speed greater or less than is reasonable or prudent under the conditions then existing, taking into consideration among other things, the conditions of the vehicle, the traffic, roadway surface or width, the amount of light or darkness, the presence of pedestrians in or near the roadways, and the obstruction of views. No person shall drive any vehicle at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead. (Prior Code, Chapter 20, as amended)

§ 15-404      MINIMUM SPEED REQUIREMENTS; EXCEPTION.

No vehicle shall be driven at such an unreasonably slow speed in relation to the effective maximum speed allowed as to constitute a hazard or to interfere with the normal movement of other traffic except when the slow speed is unavoidable. (Prior Code, Chapter 20, as amended)

§ 15-405      OBEDIENCE TO MAXIMUM AND MINIMUM SPEED LIMITS.

Where official signs and markings give notice of both maximum and minimum speed limits in effect on any street, no vehicle shall be driven at rates in excess of the maximum nor slower than the minimum except as required by an authorized officer or in obedience to posted official signs. (Prior Code, Chapter 20, as amended)

## CHAPTER 5

### DRIVING, OVERTAKING, PASSING

- § 15-501 Changing lanes; driving over medians.
- § 15-502 Driving of right side of roadway required; exceptions.
- § 15-503 When overtaking on the right is permitted.
- § 15-504 Passing vehicle proceeding in same direction.
- § 15-505 Limitations on overtaking on the left; exception.
- § 15-506 Passing vehicles proceeding in opposite direction.
- § 15-507 One-way roadways and rotary traffic islands.
- § 15-508 Following too closely.
- § 15-509 No passing zones.
- § 15-510 Following fire apparatus, emergency vehicles prohibited.
- § 15-511 Crossing fire hose.
- § 15-512 Driving through funeral or other procession prohibited; exceptions.
- § 15-513 Drivers in a procession.
- § 15-514 Funeral processions to be identified.
- § 15-515 Overtaking and passing in school zones.
- § 15-516 Overtaking and passing school bus.
- § 15-517 School bus requirements; lights; signs; painting.
- § 15-518 Driving of vehicles on sidewalk prohibited; exception.
- § 15-519 Limitations on backing.
- § 15-520 Clinging to vehicles prohibited.
- § 15-521 Entering and leaving controlled access highways.
- § 15-522 Reckless driving.
- § 15-523 Careless or negligent driving, stopping, or parking.
- § 15-524 Driving while under the influence of drugs, alcohol.
- § 15-525 Driving while impaired.
- § 15-526 Evidence of intoxication or impaired ability in prosecution of DUI.
- § 15-527 Person involved in personal injury accident who has certain blood alcohol concentration or is under influence of other intoxicating substance; punishment.
- § 15-528 Attention to driving required.
- § 15-529 Speed contest, illegal acceleration prohibited.
- § 15-530 Permits required for parades and processions.
- § 15-531 Driving through safety zone.
- § 15-532 Starting parked vehicle.
- § 15-533 Opening and closing vehicle doors.
- § 15-534 Obstructions to driver's view or driving mechanism.
- § 15-535 Boarding or alighting from vehicles.
- § 15-536 Unlawful riding.
- § 15-537 Private service drives.
- § 15-538 Designation of truck routes.
- § 15-539 Loads on vehicles.
- § 15-540 Vehicle approaching or entering intersection.
- § 15-541 Vehicle turning left at intersection.
- § 15-542 Vehicle approaching a "Yield Right-of-Way" sign.

|          |  |
|----------|--|
| § 15-543 | Vehicle entering through highway.  |
| § 15-544 | Vehicles facing stop, slow, warning or caution signal.                       |
| § 15-545 | Through streets.   |
| § 15-546 | Intersections where stop or yield required.                                  |
| § 15-547 | Stop or yield sign construction and placement.                               |
| § 15-548 | Vehicle entering stop intersection.  |
| § 15-549 | Vehicle entering yield intersection.   |
| § 15-550 | Vehicle entering highway from private road or driveway.                      |
| § 15-551 | Vehicles entering traffic from parking.                                      |
| § 15-552 | Emerging from the alley, driveway, or building.                              |
| § 15-553 | Stop when traffic obstructed.  |
| § 15-554 | Obedience to signal indicating approach of train.                            |
| § 15-555 | Certain vehicles to stop at all railroad grade crossings.                    |
| § 15-556 | Composing, sending, reading text message while vehicle in motion prohibited. |

§ 15-501      CHANGING LANES; DRIVING OVER MEDIANS.

- A. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, in addition to all other rules consistent with this subsection, a vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and has signaled for a change of course.
- B. Where streets or roadways do not have marked traffic lanes, vehicles shall nevertheless keep in line or follow a straight course as nearly as practical and shall not weave in and out or turn from side to side unnecessarily. Vehicles shall move to the right or left only as necessary in slowing or stopping adjacent to the curb, in passing slow moving vehicles or making a proper approach for a turn, and this only after the driver has first ascertained that such movement can be made safely and has signaled for a change of course.
- C. Upon a roadway which has been divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.
- D. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway. Drivers of vehicles shall obey the directions of every such sign.
- E. Whenever any highway has been divided into two (2) or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic control devices or police officers. No vehicle shall be driven over, across or within any

such dividing space, barrier, median or section, except through an opening in such physical barrier or dividing section or space or at a cross-over or intersection as established by the city. (Prior Code, Chapter 20, as amended)

§ 15-502      DRIVING ON RIGHT SIDE OF ROADWAY REQUIRED; EXCEPTIONS.

- A. Upon all roadways of sufficient width a vehicle shall be driven to the right of the center of the roadway, except as follows;
  - 1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
  - 2. When the right half of a roadway is closed to traffic while under construction or repair;
  - 3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; and
  - 4. Upon a roadway designated and signposted for one-way traffic.
  
- B. Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and under the conditions then existing shall be driven in the right-hand lane when available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.
  
- C. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
  - 1. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
  - 2. When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing; or
  - 3. When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct, or tunnel.
  
- D. The foregoing limitations shall not apply upon a one-way roadway. (Prior Code, Chapter 20, as amended)

State Law Reference: Similar provisions, 47 O.S. §§ 11-301, 11-306.

§ 15-503      WHEN OVERTAKING ON THE RIGHT IS PERMITTED.

- A. The driver of a vehicle may overtake and pass upon the right of another vehicle only

under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;
  2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction; or
  3. Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.
- B. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (Prior Code, Chapter 20, as amended)

§ 15-504      PASSING VEHICLE PROCEEDING IN SAME DIRECTION.

- A. Except as provided in § 1-503 of this code, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.
- B. Every driver who intends to pass another vehicle proceeding in the same direction, which requires movement of his vehicle from one lane of traffic to another, shall first see that such movement can be made with safety and shall proceed to pass only after giving a proper signal by hand or mechanical device.
- C. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (Prior Code, Chapter 20, as amended)

State Law Reference: Similar provisions, 47 O.S. §§ 11-303, 11-305.

§ 15-505      LIMITATIONS ON OVERTAKING ON THE LEFT; EXCEPTION.

- A. No vehicle shall be driven to the left side of the center of the street or roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to

permit the completion of the overtaking and passing without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every instance the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

- B. No vehicle at any time shall be driven to the left side of the roadway under the following conditions:
1. When approaching the crest of a grade, or upon a curve in the street or highway where the driver's view along the street or highway is obstructed; or
  2. When approaching within one hundred (100) feet of any bridge, viaduct or tunnel or when approaching within fifty (50) feet of or traversing any intersection or railroad grade crossing. (Prior Code, Chapter 20, as amended)

§ 15-506      PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having a width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half (1/2) the main-traveled portion of the roadway as nearly as possible. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-302.

§ 15-507      ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS.

- A. Whenever the council, by motion or resolution, designates any street or alley or part thereof as a one-way street or alley, the city manager shall have placed and maintained signs giving notice thereof; and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- B. Upon those streets and parts of streets and in those alleys and parts of alleys so designated as one-way streets and alleys, vehicular traffic shall move only in the direction indicated when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.
- C. Upon roadways designated and sign posted for one-way traffic, a vehicle shall be driven only in the direction designated.
- D. A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-308.

§ 15-508      FOLLOWING TOO CLOSELY.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O. S. § 11-310.

§ 15-509      NO PASSING ZONES.

- A. The State Department of Transportation, as regards state and federal highways, and the city manager or police chief as regards all other streets, are hereby authorized to determine those portions of any highway where overtaking and passing to the left would be especially hazardous, and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver shall obey the directions thereof.
- B. Where signs or markings are in place to define a no-passing zone as set forth in Subsection A of this section, no driver shall at any time drive to the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark the no-passing zone throughout its length. (Prior Code, Chapter 20, as amended)

§ 15-510      FOLLOWING FIRE APPARATUS, EMERGENCY VEHICLES PROHIBITED.

- A. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet, or drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm.
- B. The driver of any vehicle other than one on official business shall not follow any emergency vehicle or shall not purposely drive to any location on a highway where an emergency exists which would interfere with the free movement of authorized emergency vehicles or any other traffic using the highway at that location. For the purpose of this subsection, the definition of emergency shall include traffic accidents, airplane accidents, disasters, explosions, civil disturbances and (without limitation by the foregoing) any other related circumstances which tend to cause traffic congestion. The purpose of this subsection is to eliminate sightseers and other persons who do not have official business at the scene of an emergency, and whose presence would tend to cause traffic congestion. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-1108.

§ 15-511      CROSSING FIRE HOSE.

No vehicle shall be driven over any unprotected hose of a fire department used at any fire or alarm of fire, without the consent of the fire department official in command. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-1109.



§ 15-512      DRIVING THROUGH FUNERAL OR OTHER PROCESSION PROHIBITED; EXCEPTIONS.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Local powers to regulate processions, 47 O.S. § 15-102.

§ 15-513      DRIVERS IN A PROCESSION.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe. (Prior Code, Chapter 20, as amended)

§ 15-514      FUNERAL PROCESSIONS TO BE IDENTIFIED.

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of such identifying insignia as may be determined and designated by the police department. (Prior Code, Chapter 20, as amended)

§ 15-515      OVERTAKING AND PASSING IN SCHOOL ZONES.

- A. No driver of a vehicle shall pass any other vehicle which is in motion and being driven in the same direction in any school zone between the hours posted on all days when schools are in session.
- B. Whenever a school zone is located on a multiple lane street which is divided into three (3) or more clearly marked lanes for traffic or where the right half of the roadway has been divided into two (2) or more lanes, or on one-way streets, vehicles shall be allowed to pass slower moving vehicles being driven in the same direction where passing does not involve a change of lane movement. (Prior Code, Chapter 20, as amended)

§ 15-516      OVERTAKING AND PASSING SCHOOL BUS.

- A. The driver of a vehicle upon any street, roadway or highway upon meeting or overtaking from either direction any school bus which was stopped on or adjacent to the street, roadway or highway for the purpose of receiving or discharging any school children and other occupants, shall stop the vehicle immediately when the visual signals are in operation, as specified in § 15-517 of this code, and shall not pass the school bus until the visual signals are de-activated. The driver may then proceed past such school bus at a speed which is reasonable and prudent. (Prior Code, Chapter 20, as amended)
- B. The driver of any vehicle when passing the school bus shall use due caution for the safety of school children and other occupants of the school bus.

- C. The driver of a vehicle upon a street with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-705.

§ 15-517 SCHOOL BUS REQUIREMENTS; LIGHTS; SIGNS; PAINTING.

- A. The provisions of § 15-516 of this code shall be applicable only if the school bus is painted yellow and bears upon the front and rear thereon a plainly visible sign containing the words "SCHOOL BUS" in letters not less than eight (8) inches in height which can be removed or covered when the vehicle is not in use as a school bus, and meets the requirements of § 11-307 of Title 47 of the Oklahoma Statutes.
- B. The school bus shall be equipped with four (4) red alternately flashing warning signal lights, two (2) of which shall be located high on the front and two (2) high on the rear of the vehicle. The lights shall be a minimum of four (4) inches in diameter and shall be widely separated. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-307.

§ 15-518 DRIVING OF VEHICLES ON SIDEWALK PROHIBITED; EXCEPTION.

No person shall drive any vehicle within or upon any sidewalk area except at a permanent or temporary driveway. (Prior Code, Chapter 20, as amended)

§ 15-519 LIMITATIONS ON BACKING.

- A. No vehicle shall be backed into an intersection or upon any street or highway, except for such distance as may be necessary to permit the vehicle to enter its proper driving lane without crossing the center of the street.
- B. When backing, the driver shall yield the right-of-way to all vehicles and pedestrians and shall do so only while vision is not obstructed, at a reduced, careful speed, and after the driver has ascertained that such movement can be made without endangering or interfering with the flow of traffic. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provision, 47 O.S. 1971, § 11-1102.

§ 15-520 CLINGING TO VEHICLES PROHIBITED.

No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any moving vehicle upon a roadway. (Prior code, Chapter 20, as amended)

§ 15-521 ENTERING AND LEAVING CONTROLLED ACCESS HIGHWAYS.

No person shall drive a vehicle onto or from any controlled-access highway except at entrances and exits established by public authority. (Prior Code, Chapter 20, as amended)

§ 15-522      RECKLESS DRIVING.

Any person who drives any vehicle in a manner which would be reasonable calculated to endanger the rights, lives or property of others, or which is without due caution and circumspection, or which is at a careless, heedless or dangerous rate of speed is guilty of reckless driving. (Ord. No. 149, 3/2/79)

*State Law Reference:* Similar provisions, 47 O.S. § 11-901.

§ 15-523      CARELESS OR NEGLIGENT DRIVING, STOPPING OR PARKING.

It is unlawful for any person to drive, use, operate, park, cause to be parked, or stop any vehicle in a careless or negligent manner, or in such a manner as to endanger life, limb, person, or property, or as to interfere with the lawful movement of traffic or use of the streets. (Prior Code, Chapter 20, as amended)

§ 15-524      DRIVING WHILE UNDER THE INFLUENCE OF DRUGS, ALCOHOL.

- A. It is unlawful for any person to drive, operate, or be in actual physical control of a motor vehicle within this state who:
1. Has a blood or breath alcohol concentration, as defined in § 756 of Title 47 of the Oklahoma Statutes, of ten-hundredths (0.10) or more at the time of a test of such person's blood or breath administered within two (2) hours of the arrest of such person;
  2. Is under the influence of alcohol;
  3. Is under the influence of any other intoxicating substance to a degree which renders such person incapable of safely driving or operating a motor vehicle; or
  4. Is under the combined influence of alcohol and any other intoxicating substance to a degree which renders such person incapable of safely driving or operating a motor vehicle.
- B. The fact that any person charged with a violation of this section is or has been lawfully entitled to use alcohol or a controlled dangerous substance or any other intoxicating substance shall not constitute a defense against any charge of violating this section.
- C. As used in this code, the term "other intoxicating substance" means any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act and any other substance, other than alcohol, which is capable of being ingested, inhaled, injected, or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor function. (Prior Code,

*State Law Reference:* Similar provisions, 47 O.S. § 11-902.v1 and 11-902.v2.

§ 15-525      DRIVING WHILE IMPAIRED.

It is unlawful and an offense for any person to operate a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol or other intoxicating substance. (Ord. No. 151, 3/20/79)

§ 15-526      EVIDENCE OF INTOXICATION OR IMPAIRED ABILITY IN PROSECUTION OF DUI.

- A. Upon the trial of any criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in physical control of a motor vehicle while under the influence of alcohol or any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, evidence of the alcohol concentration in the blood or breath of the person as shown by analysis of the blood or breath of the person performed in accordance with the provisions of §§ 15-524 and 15-525 of this code or evidence of the presence and concentration of any other intoxicating substance as shown by analysis of such person's blood, breath, saliva, or urine specimens in accordance with the provisions of §§ 15-524 and 15-525 of this code is admissible. Evidence that the person has refused to submit to either of said analyses is also admissible. For the purpose of this code:
1. Evidence that there was, at the time of the test, an alcohol concentration of five-hundredths (0.05) or less is prima facie evidence that the person was not under the influence of alcohol;
  2. Evidence that there was, at the time of the test, an alcohol concentration in excess of five-hundredths (0.05) but less than eight-hundredths (0.08) is relevant evidence that the person's ability to operate a motor vehicle was impaired by alcohol. However, no person shall be convicted of the offense of operating or being in actual physical control of a motor vehicle while such person's ability to operate such vehicle was impaired by alcohol solely because there was, at the time of the test, an alcohol concentration in excess of five-hundredths (0.05) but less than eight-hundredths (0.08) in the blood or breath of the person in the absence of additional evidence that such person's ability to operate such vehicle was affected by alcohol to the extent that the public health and safety was threatened or that said person had violated a state statute or local ordinance in the operation of a motor vehicle; and
  3. Evidence that there was, at the time of the test, an alcohol concentration of eight-hundredths (0.08) or more shall be admitted as prima facie evidence that the person was under the influence of alcohol;
- B. For purposes of this code, "alcohol concentration" means grams of alcohol per one hundred (100) milliliters of blood if the blood was tested, or grams of alcohol per two

hundred ten (210) liters of breath if the breath was tested; and

- C. To be admissible in a proceeding, the evidence must first be qualified by establishing that the test was administered to the person within two (2) hours after the arrest of the person. (Prior Code, Chapter 20, as amended; Ord. No. 503, 6/16/98)

*State Law Reference:* Similar provisions, 47 O.S. § 756.

§ 15-527      PERSON INVOLVED IN PERSONAL INJURY ACCIDENT WHO HAS CERTAIN BLOOD ALCOHOL CONCENTRATION OR IS UNDER INFLUENCE OF OTHER INTOXICATING SUBSTANCE; PUNISHMENT.

Any person who is involved in a personal injury accident while driving or operating a motor vehicle within this state and who has blood or breath alcohol concentration, as defined in § 15-526 of this code, of ten-hundredths (0.10) or more at the time of a test of the blood or breath of the person, administered within two (2) hours after the arrest of the person or who is under the influence of any other intoxicating substance to a degree as determined at the time of the test of the blood, breath, saliva, or urine of the person administered within two (2) hours after the arrest of the person which renders the person incapable of safely driving or operating a motor vehicle may be charged with an offense. (Prior Code, Chapter 20, as amended)

§ 15-528      ATTENTION TO DRIVING REQUIRED.

The operator of every vehicle while driving shall devote his full time and attention to such driving. (Prior Code, Chapter 20, as amended)

§ 15-529      SPEED CONTEST PROHIBITED.

- A. No person shall engage in, aid or abet any motor vehicle speed contest or exhibition of speed on any street or highway.
- B. No person shall, for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest upon any street or highway, in any manner obstruct or place any barricade or obstruction upon any street or highway.
- C. When three (3) or more persons assemble to witness or participate in an unlawful speed contest, such assembly is unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense. (Prior Code, Chapter 20, as amended)

§ 15-530      PERMITS REQUIRED FOR PARADES AND PROCESSIONS.

No funeral, procession, or parade containing two hundred (200) or more persons or fifty (50) or more vehicles except the military forces of the United States and the military forces of this state, shall occupy, march, or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Local powers to regulate processions, 47 O.S. § 15-102.

§ 15-531      DRIVING THROUGH SAFETY ZONE.

No vehicle shall at any time be driven through or within a safety zone or island. (Prior Code, Chapter 20, as amended)

§ 15-532      STARTING PARKED VEHICLE.

No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety. (Prior Code, Chapter 20, as amended)

§ 15-533      OPENING AND CLOSING VEHICLE DOORS.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so; nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-1105.

§ 15-534      OBSTRUCTIONS TO DRIVER=S VIEW OR DRIVING MECHANISM.

- A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- B. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle. (Prior Code, Chapter 20, as amended)

§ 15-535      BOARDING OR ALIGHTING FROM VEHICLES.

No person shall board or alight from any vehicle while such vehicle is in motion. (Prior Code, Chapter 20, as amended)

§ 15-536      UNLAWFUL RIDING.

No person shall ride on any such vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise. (Prior Code, Chapter 20, as amended)

§ 15-537      PRIVATE SERVICE DRIVES.

No vehicles or animal shall be driven through any private service driveway or private service area except for the purpose of obtaining service or merchandise. (Prior Code, Chapter 20, as amended)

§ 15-538      DESIGNATION OF TRUCK ROUTES.

- A.     The city manager, subject to any directions which the council may give by motion or resolution, may prescribe routes through the city for the use of trucks in general, trucks of particular kinds and/or other vehicles which are not ordinary private passenger vehicles, passing through the city. Appropriate and adequate signs shall be placed along such routes so that drivers of such vehicles may follow the routes.
  
- B.     When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been prescribed, as provided above, while passing through the city, shall keep on such route and shall not deviate therefrom except in case of emergency. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the city and not merely through the city.
  
- C.     Deliveries to or pick-ups at destinations within the city shall be made by following the prescribed routes to the point nearest the destination. Travel at that point shall be made in a manner requiring the least amount of off-route travel. Return from the delivery or pick-up shall also be made in the manner requiring the least amount of off-route travel.
  
- D.     Deliveries to or pick-ups at destinations outside the city but with the point of origin within the city shall be made by traveling from the point of origin to the nearest prescribed route and by then following the route to a point outside the city. Return from the delivery or pick-up shall also be made in the manner requiring the least amount of off-route travel.
  
- E.     Travel between the prescribed routes and delivery or pick-up points shall be made on section line roads or major streets or highways whenever possible.
  
- F.     The prohibitions of this section shall not apply to vehicles commonly known as recreation vehicles. (Prior Code, Chapter 20, as amended; Ord. No. 298, 11/5/85)

Cross Reference: See also §§ 14-109 and 14-109.2 of this code on weight limits.

§ 15-539      LOADS ON VEHICLES.

- A.     No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, blowing or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.
  
- B.     No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or escaping by reason of wind shall have the load covered or dampened so as to prevent the blowing or escaping of the load from the vehicle.

- C. This section shall not apply to trucks loaded with livestock, poultry or agricultural products only except baled agricultural products, provided that any such truck shall be so constructed or loaded as to prevent such livestock or poultry from escaping therefrom. (Prior Code, Chapter 20, as amended)

§ 15-540      VEHICLE APPROACHING OR ENTERING INTERSECTION.

- A. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street or highway; provided that, the driver of a vehicle on a street which is not a state or federal highway approaching an intersection with a state or federal highway shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard.
- B. When two (2) vehicles enter an intersection from different streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right, except as provided in Subsection A of this section.
- C. The right-of-way rule declared in Subsection A of this section is modified at through highways as otherwise stated in this chapter. (Prior Code, Chapter 20, as amended)

§ 15-541      VEHICLE TURNING LEFT AT INTERSECTION.

The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. After so yielding and having given signal when and as required by this code, the driver may make the left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-402.

§ 15-542      VEHICLE APPROACHING A YIELD RIGHT-OF-WAY@ SIGN.

The driver of a vehicle approaching a “Yield Right-of-Way” sign shall slow to a reasonable speed for existing conditions of traffic and visibility, yielding the right-of-way to all vehicles on the intersecting street or highway which have entered the intersection or which are so close as to constitute an immediate hazard. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-403.

§ 15-543      VEHICLE ENTERING THROUGH HIGHWAY.

Except when directed to proceed by a police officer or a traffic control signal, every driver of a vehicle shall stop as required by this code at the entrance to a through highway and shall yield the right-of-way to other vehicles which have entered the intersection from the through highway, or which are approaching so closely on the through highway as to constitute an immediate



hazard. (Prior Code, Chapter 20, as amended)

§ 15-544      VEHICLES FACING STOP, SLOW, WARNING OR CAUTION SIGNAL.

If two (2) or more vehicles face stop, slow, warning or caution signs or signals at an intersection and are approaching as to enter the intersection at the same time, the following rules shall apply: If each vehicle is required to stop, the vehicle coming from the right shall have the right-of-way. If each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. If each vehicle is required to take caution, the vehicle coming from the right shall have the right-of-way. If one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way. In any event, a vehicle which has already entered the intersection shall have the right-of-way over one which has not entered the intersection. (Prior Code, Chapter 20, as amended)

§ 15-545      THROUGH STREETS.

- A.     The city council, by motion or resolution, may designate any street or part of a street a through street.
- B.     Whenever the city council designates and describes a through street, the city manager shall have placed and maintained a stop sign, or yield sign if deemed more appropriate, shall be placed and maintained on every street intersecting a through street, or intersecting that portion thereof, unless traffic at such intersection is controlled at all times by traffic control signals.
- C.     At the intersection of two (2) such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of the streets as may be determined by the city manager if deemed desirable. (Prior Code, Chapter 20, as amended)

§ 15-546      INTERSECTIONS WHERE STOP OR YIELD REQUIRED.

The city manager, subject to any directions given by the council by motion or resolution, is hereby authorized to determine and designate intersections upon other than through streets where particular hazards exist and to determine whether:

- A.     Vehicles shall stop at one or more entrances to any such stop intersection, in which event he shall cause to be erected a stop sign at every such place a stop is required; or
- B.     Vehicles shall yield the right-of-way to vehicles on a different street as provided in this code, in which event he shall cause to be erected a yield sign at every place where yield is required. (Prior Code, Chapter 20, as amended)

§ 15-547      STOP OR YIELD SIGN CONSTRUCTION AND PLACEMENT.

Every stop or yield sign erected pursuant to this chapter shall bear the word “Stop” or “Yield in letters not less than eight (8) inches in height for a stop sign and not less than seven (7) inches in height for a yield sign. Every stop or yield sign shall at night be rendered luminous by steady or

flashing internal illumination, by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every stop or yield sign shall be located as close as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then the sign shall be located at the nearest line of the intersecting roadway. (Prior Code, Chapter 20, as amended)

§ 15-548      VEHICLE ENTERING STOP INTERSECTION.

Except when directed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop before entering the crosswalk on the near side of the intersection. In the event there is no crosswalk, the driver shall stop at a clearly marked stop line before entering the intersection. If there is no marked stop line, then the driver shall stop at the point nearest the intersecting road where the driver has a view of approaching traffic on an intersecting roadway before entering the intersection. A driver, after having stopped, shall yield the right-of-way to any vehicle which has entered the intersection from another highway or road, or which is approaching so close as to constitute immediate hazard; but the driver having so yielded may then proceed and the driver of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding. (Prior Code, Chapter 20, as amended)

§ 15-549      VEHICLE ENTERING YIELD INTERSECTION.

The driver of a vehicle approaching a yield sign shall, in observance to such sign, slow down to a speed reasonable for the existing condition or shall stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving and to any vehicle in the intersection or approaching on another road so closely as to constitute an immediate hazard. The driver having so yielded may then proceed and drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding. A driver who enters a yield intersection without stopping and has or causes a collision with a pedestrian at a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. The provisions of this section shall not release the drivers of other vehicles approaching the intersection at such a distance as not to constitute immediate hazard from the duty to drive with due care to avoid a collision. The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection before entering the intersection; if there is no crosswalk, the driver shall stop at a clearly marked stop line, or if there is no stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. (Prior Code, Chapter 20, as amended)

§ 15-550      VEHICLE ENTERING HIGHWAY FROM PRIVATE ROAD OR DRIVEWAY.

The driver of a vehicle about to enter, leave or cross a highway from or into a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-404.

§ 15-551      VEHICLES ENTERING TRAFFIC FROM PARKING.

Any vehicle attempting to reenter traffic while parked at the curb shall yield the right-of-way to oncoming traffic in the street approaching from the rear. The parked vehicle shall proceed into the line of traffic only after the driver has given the appropriate signal which indicates his intention of turning from the curb and into the line of traffic. The vehicle shall in no event enter the line of traffic until the driver has ascertained that no hazard exists. (Prior Code, Chapter 20, as amended)

§ 15-552      EMERGING FROM THE ALLEY, DRIVEWAY, OR BUILDING.

The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-704.

§ 15-553      STOP WHEN TRAFFIC OBSTRUCTED.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (Prior Code, Chapter 20, as amended)

§ 15-554      OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN.

- A. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
  2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
  3. A railroad train approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or
  4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.
- B. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

(Prior Code, Chapter 20, as amended)

§ 15-555      CERTAIN VEHICLES TO STOP AT ALL RAILROAD GRADE CROSSINGS.

- A.     The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any such vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing, and the driver shall not shift gears while crossing the track or tracks.
  
- B.     No stop need be made at any such crossing where a police officer or traffic control signal directs traffic to proceed. (Prior Code, Chapter 20, as amended.)

§15-556      COMPOSING, SENDING, READING TEXT MESSAGE WHILE VEHICLE IN MOTION PROHIBITED

- A.     It shall be unlawful for any person to operate a motor vehicle on any street or highway within the City of Choctaw while using a hand-held electronic communication device to manually compose, send or read an electronic text message while the motor vehicle is in motion.
  
- B.     Any person who violates the provisions of subsection A of this section shall, upon conviction, be punished by a fine of not more than Seventy Dollars (\$100.00).
  
- C.     The provisions of subsection A of this section shall not apply if the person is using the cellular telephone or electronic communication device for the sole purpose of communicating with any of the following regarding an imminent emergency situation:
  - 1.     An emergency response operator;
  - 2.     A hospital, physician's office or health clinic;
  - 3.     A provider of ambulance services;
  - 4.     A provider of firefighting services; or
  - 5.     A law enforcement agency.
  
- D.     Definitions – For the purpose of this section:
  - 1.     "Cellular telephone" means an analog or digital wireless telephone

authorized by the Federal Communications Commission to operate in the frequency bandwidth reserved for cellular telephones;

2. "Compose", "send" or "read" with respect to a text message means the manual entry, sending or retrieval of a text message to communicate with any person or device;
3. "Electronic communication device" means an electronic device that permits the user to manually transmit a communication of written text by means other than through an oral transfer or wire communication. This term does not include a device that is physically or electronically integrated into a motor vehicle or a voice-operated global positioning or navigation system that is affixed to a motor vehicle, or a hands-free device that allows the user to write, send or read a text message without the use of either hand except to activate, deactivate or initiate a feature or function; and
4. "Text message" includes a text-based message, instant message, electronic message, photo, video or electronic mail. (Ord. No. 749, 06/21/16)

## CHAPTER 6

### TRAFFIC CONTROL DEVICES

- § 15-601 Authority to install traffic control devices.
- § 15-602 Traffic control devices; uniform requirements.
- § 15-603 Obedience to official traffic control devices.
- § 15-604 When official traffic control devices required for enforcement purposes.
- § 15-605 Traffic control signal legend.
- § 15-606 Pedestrians; signal indicators; regulations.
- § 15-607 Flashing signals.
- § 15-608 Unauthorized traffic control devices prohibited.
- § 15-609 Defacement of traffic control devices.
- § 15-610 Play streets, authority to establish.
- § 15-611 Play streets, restriction on use.
- § 15-612 Designation of crosswalks and safety zones.
- § 15-613 Traffic lanes.

#### § 15-601 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES.

- A. The city manager, subject to any directions which the council may give by motion or resolution, shall have placed and maintained traffic control signs, signals, and devices when and as required under the traffic ordinances of this city to make effective the provisions of such ordinances, and may have placed and maintained such additional traffic control signs, signals, and devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under state law or to guide or warn traffic.
- B. The city manager may have traffic control devices tested under actual conditions of traffic. (Prior Code, Chapter 20, as amended)

*Cross Reference:* For state law relating to traffic control devices, see 47 O.S. §§ 11-201 et seq.

#### § 15-602 TRAFFIC CONTROL DEVICES; UNIFORM REQUIREMENTS.

- A. All traffic control signs, signals, and devices shall conform to the Manual of Uniform Traffic Control Devices approved by the State Department of Public Safety.
- B. All signs, signals, and devices required hereunder for a particular purpose shall so far as practicable, be uniform as to type and relative location throughout the city. All traffic control devices erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices. (Prior Code, Chapter 20, as amended)

#### § 15-603 OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exemptions granted the driver of an authorized emergency vehicle in this part. (Prior Code, Chapter 20, as amended)

State Law Reference: Drivers to obey traffic devices, 47 O.S. § 11-201.

§ 15-604      WHEN OFFICIAL TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES.

No provision of this chapter for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. If a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place. (Prior Code, Chapter 20, as amended)

§ 15-605      TRAFFIC CONTROL SIGNAL LEGEND.

- A. The display of signal lights, arrows and words shall be deemed to have the following meanings and requires the appropriate response on the part of vehicular traffic and pedestrians:
1. Green alone, “go”:
    - a. Vehicular traffic facing the signal, except when prohibited, may proceed straight through or turn right or left unless an official sign at such place prohibits such turn, but any vehicle and any pedestrian lawfully within the intersection or adjacent crosswalk at the time the signal displays green shall have the right-of-way over such vehicular traffic; and
    - b. Pedestrian traffic, facing a green signal may proceed across the roadway within any marked or unmarked crosswalk unless a “walk” signal indicator is operating;
  2. Steady yellow or amber alone, “caution”:
    - a. The showing of such signal color following green shall constitute a warning that the “red” or “stop” signal will be exhibited immediately thereafter; and
    - b. Vehicles facing the signal shall stop before entering the near side crosswalk or at the Limit line, if it is marked, unless the vehicle is so near the limit line when the “caution” signal first flashes that a stop cannot be made in safety, in which event vehicles may proceed cautiously through the intersection and clear the same before the “red” signal flashes;
  3. Red alone, “stop”:
    - a. Vehicular traffic facing the signal shall stop before entering the crosswalk and shall remain standing until green or “go” is shown alone. Except where official signs are erected prohibiting such turns, vehicles in the right

traffic lane, after making a full stop as required, may enter the intersection cautiously and make a right turn, but such vehicles shall yield the right-of-way to any pedestrians or other traffic in the intersection and the turn shall be made so as not to interfere in any way with traffic proceeding on a green signal indication on the cross street; and

- b. Pedestrians facing the signal shall not enter or cross the roadway when such movement interferes with traffic proceeding on a green signal indication on the cross street, or when the movement cannot be made in safety. No pedestrian facing such signal shall enter the roadway until the green or “go” is shown alone unless authorized to do so, by a pedestrian “walk” signal;

4. Steady red with green arrow:

- a. Vehicular traffic facing such signal when in the proper traffic lane may cautiously enter the intersection only to make the movement indicated by the arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection. If the movement indicated by the green arrow is a left turn, the left turn shall be made only on the road with green arrow signal; and
- b. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with vehicular traffic;

5. Green arrows alone:

- a. Whenever vehicular traffic movements are controlled by green arrows alone and not displayed with any other signal indication, vehicles facing such signals may make the movements indicated by the green arrows and the movements shall be made only when the green arrows are displayed.

- B. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which, by their nature, can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but, in the absence of any such sign or marking, the stop shall be made at the signal. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-202.

§ 15-606      PEDESTRIANS; SIGNAL INDICATORS; REGULATIONS.

Special pedestrian control signals exhibiting the words “walk”, “wait” or “don’t walk” shall regulate pedestrian movement as follows:

- A. “Walk”: Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles; and



- B. “Wait” or “don’t walk”: No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the “Walk” signal shall proceed to a sidewalk or safety zone while the “Wait” signal is showing. (Prior Code, Chapter 20, as amended)

§ 15-607      FLASHING SIGNALS.

- A. Whenever an illuminated signal is flashing red or yellow signal, it shall require obedience by vehicular traffic as follows:
  - 1. “Flashing Red”: When a red light is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection and the right to proceed shall be subject to the rules applicable to making a stop at a stop sign; and
  - 2. “Flashing Yellow”: When a yellow light is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection, or pass such signal only with caution.
- B. This section shall not apply at railroad grade crossings. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-204.

§ 15-608      UNAUTHORIZED TRAFFIC CONTROL DEVICES PROHIBITED.

- A. No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.
- B. No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign, signal, or device bearing thereon any commercial advertising.
- C. This section shall not prohibit the erection upon private property adjacent to highways of signs giving useful directional information which are of a type that cannot be mistaken for official signs.
- D. Every prohibited sign, signal, marking or device may be removed without notice. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-206.

§ 15-609      DEFACEMENT OF TRAFFIC CONTROL DEVICES.

- A. No person shall without lawful authority attempt to or in fact alter, destroy, deface,

molest, interfere, tamper, injure, knock down, remove or have in his possession any traffic control device or any railroad sign or signal or an inscription, shield or insignia thereon, or any part thereof.

B. This section shall not apply to any of the following persons when acting within the scope and duty of their employment:

1. Any officer, agent, independent contractor, employee, servant, or trustee of any governmental agency; or
2. Any officer, agent, independent contractor, employee, servant, or trustee of any contractor, public utility or railroad company. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-207.

§ 15-610      PLAY STREETS, AUTHORITY TO ESTABLISH.

The city manager, subject to any directions which the council may give, shall have authority to declare any street or part thereof a play street and to have placed appropriate signs or devices in the roadway indicating and helping to protect the same. (Prior Code, Chapter 20, as amended)

§ 15-611      PLAY STREETS, RESTRICTION ON USE.

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area; and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof. (Prior Code, Chapter 20, as amended)

§ 15-612      DESIGNATION OF CROSSWALKS AND SAFETY ZONES.

The city manager, subject to any directions which the council may give, may:

- A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary; and
- B. Establish safety zones or islands of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Prior Code, Chapter 20, as amended)

§ 15-613      TRAFFIC LANES.

- A. The city manager, subject to any directions which the council may give, may be authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

- B. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement or otherwise authorized by ordinance. (Prior Code, Chapter 20, as amended)

State Law Reference: Similar provisions, 47 O.S. § 11-309.

## CHAPTER 7

### STOPPING, STANDING AND PARKING GENERALLY

- § 15-701 Illegal parking declared public nuisance.
- § 15-702 Application of standing or parking regulations.
- § 15-703 Parking time limits may be established, signs.
- § 15-704 Parking more than twenty-four (24) hours.
- § 15-705 Brakes; motor not to be left running; unattended vehicles.
- § 15-706 Signs or markings indicating angle parking.
- § 15-707 Obedience to angle-parking signs or markings.
- § 15-708 Parking in spaces marked off.
- § 15-709 Permits for loading or unloading at an angle to the curb.
- § 15-710 Hazardous or congested places; stopping, standing, parking.
- § 15-711 Stopping, standing or parking prohibited in specified places.
- § 15-712 Blocking of intersection or crosswalk prohibited.
- § 15-713 Standing or parking on one-way roadway.
- § 15-714 Standing or parking on left side of one-way streets.
- § 15-715 Parking prohibited at intersections.
- § 15-716 Parking in alleys, blocking driveways.
- § 15-717 Entry on private property; trespass; evidence; burden of proof.
- § 15-718 Parking of certain commercial vehicles on public streets in residential and commercial areas.
- § 15-719 Handicapped parking.
- § 15-720 Parking for certain purposes prohibited.
- § 15-721 Method of parking, standing or parking close to curb.
- § 15-722 Negligent parking.
- § 15-723 Right-of-way to parallel parking space.

#### § 15-701 ILLEGAL PARKING DECLARED PUBLIC NUISANCE.

Any vehicle in violation of any regulation contained in this chapter governing, limiting or prohibiting the parking or standing of a vehicle on any street or public thoroughfare is hereby declared to constitute a public nuisance, and each separate traffic citation issued as authorized herein for such violation shall constitute a separate notice thereof to the owner or operator of such vehicle. (Prior Code, Chapter 20, as amended)

Cross Reference: Parking on property of another prohibited, § 10-214.

#### § 15-702 APPLICATION OF STANDING OR PARKING REGULATIONS.

The provisions of this chapter shall not be applicable when it is necessary for a vehicle to stop to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device. (Prior Code, Chapter 20, as amended)

#### § 15-703 PARKING TIME LIMITS MAY BE ESTABLISHED; SIGNS.

The city manager, subject to any directions which the council may give by motion or resolution,

may establish parking time limits or prohibit parking on designated streets or parts of streets and have appropriate signs placed on the streets. When the signs are in place, it is unlawful for any person to park a vehicle in violation of the sign. No such time limits shall be effective unless a sign is erected and in place at the time of the alleged violation. (Prior Code, Chapter 20, as amended)

§ 15-704      PARKING MORE THAN TWENTY-FOUR (24) HOURS.

No person shall park a vehicle on any street for a period of time longer than twenty-four (24) hours. This section shall not affect parking limits established for shorter periods. (Prior Code, Chapter 20, as amended)

§ 15-705      BRAKES; MOTOR NOT TO BE LEFT RUNNING; UNATTENDED VEHICLES.

The person driving or in charge of a motor vehicle shall not permit it to stand unattended without first stopping the engine and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the street. (Prior Code, Chapter 20, as amended)

§ 15-706      SIGNS OR MARKINGS INDICATING ANGLE PARKING.

The city manager, subject to any directions which the council may give by motion or resolution, shall determine upon what streets and parts of streets angle parking shall be permitted and shall have such streets marked or signed; provided, however, that angle parking shall not be permitted on any federal-aid or state highway, unless the state department of highways has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

*State Law Reference:* Similar provisions, 47 O.S. § 11-1004(c).

§ 15-707      OBEDIENCE TO ANGLE-PARKING SIGNS OR MARKINGS.

On those streets which have been so signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. (Prior Code, Chapter 20, as amended)

§ 15-708      PARKING IN SPACES MARKED OFF.

In an area where parking spaces have been marked off on the surface of the street, a driver parking a vehicle shall park it within a parking space as thus marked off, and not on or over a line delimiting a space. (Prior Code, Chapter 20, as amended)

§ 15-709      PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB.

- A. The city manager is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to

the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The city manager may revoke such permits at any time.

- B. It is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit. (Prior Code, Chapter 20, as amended)

§ 15-710      HAZARDOUS OR CONGESTED PLACES; STOPPING, STANDING, PARKING.

- A. The city manager is hereby authorized to determine and regulate by proper signs the stopping, standing, or parking of vehicles when such stopping, standing or parking would create an especially hazardous condition or would cause unusual delay to traffic.
- B. When official signs are erected at hazardous or congested places, as authorized in Subsection A of this section, no person shall violate such signs. (Prior Code, Chapter 20, as amended)

§ 15-711      STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES.

- A. No person shall stop, stand, or park a vehicle, except in emergencies or when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device in any of the following places:
  - 1. On a sidewalk, sidewalk area, or between the sidewalk and the street;
  - 2. In front of a public or private driveway;
  - 3. Within an intersection;
  - 4. Within fifteen (15) feet of a fire hydrant, except in a parking space officially marked;
  - 5. On a crosswalk;
  - 6. Within twenty (20) feet of a crosswalk at an intersection;
  - 7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
  - 8. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length has been indicated by signs or markings;
  - 9. Within fifty (50) feet of the nearest rail of a railroad crossing;

10. Within twenty (20) feet of the driveway entrance to any fire station, and, on the side of the street opposite the entrance to any fire station, within seventy-five (75) feet of the entrance when properly sign posted;
  11. Alongside or opposite any street excavation or construction when stopping, standing or parking would obstruct traffic;
  12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel; or
  14. At any place where official signs prohibit stopping.
- B. No person shall move a vehicle not lawfully under his control into any prohibited area or an unlawful distance away from a curb. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-1003.

§ 15-712      BLOCKING OF INTERSECTION OR CROSSWALK PROHIBITED.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (Prior Code, Chapter 20, as amended)

§ 15-713      STANDING OR PARKING ON ONE-WAY ROADWAY.

- A. If a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of the one-way roadway unless signs are erected to permit such standing or parking.
- B. The city manager, subject to any directions which the council may give by motion or resolution, may determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof. (Prior Code, Chapter 20, as amended)

§ 15-714      STANDING OR PARKING ON LEFT SIDE OF ONE-WAY STREETS.

The city manager may have signs erected upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles. When the signs are in place, no person shall stand or park a vehicle in violation of any such signs. (Prior Code, Chapter 20, as amended)

§ 15-715      PARKING PROHIBITED AT INTERSECTIONS.

The parking of vehicles at the curb where streets intersect shall be prohibited fifteen (15) feet in

advance of the crosswalk on the near side of such intersection. (Prior Code, Chapter 20, as amended)

§ 15-716      PARKING IN ALLEYS, BLOCKING DRIVEWAYS.

No persons, other than the operator of a U.S. Postal Service vehicle engaged in collecting or delivering U.S. Mail, shall park a vehicle within a street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within a street or alley in such position as to block a driveway entrance to any abutting property. No person shall park or stand a vehicle in any alley except while actually engaged in loading or unloading passengers or freight. (Prior Code, Chapter 20, as amended)

§ 15-717      ENTRY ON PRIVATE PROPERTY; TRESPASS; EVIDENCE; BURDEN OF PROOF.

- A. No person shall make an entry with any vehicle upon real property owned or legally occupied by another without the owner's or occupant's consent except where such private property is provided as public parking and the general use of the property is not restricted by signs or proper markings.
- B. Where entry is made upon real property owed or legally occupied by another without the owner's or occupant's consent, except on unrestricted public parking, and is complained of by the owner or legal occupant of the premises, the burden is put upon the person making the entry to show that permission for such entry was given. (Prior Code, Chapter 20, as amended)

§ 15-718      PARKING OF CERTAIN COMMERCIAL VEHICLES ON PUBLIC STREETS IN RESIDENTIAL AND COMMERCIAL AREAS.

- A. No person shall park any commercial vehicle, other than pickup trucks of three-quarter ( $\frac{3}{4}$ ) ton classification or lighter, on any public street in any residential area.
- B. No person shall park any commercial vehicle, other than trucks of one and one-half ( $\frac{1}{2}$ ) ton classification or lighter, on any public street in any commercial area during nighttime hours.
- C. Notwithstanding the provisions of Subsections A and B above, a commercial vehicle may be parked so as not to create a traffic hazard during active loading or unloading.
- D. The term "street", as used herein, shall mean the entire width between the curbs of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

§ 15-719      HANDICAPPED PARKING.

- A. It is unlawful for any person to place or park a motor vehicle in any parking space on private property accessible to the public and where the public is invited or public property



that is designated and posted as a reserved area for parking of motor vehicles of a physically disabled person unless such is eligible for a detachable insignia or reflective insignia as a physically disabled person under the provisions of §§ 15-112, and such insignias are displayed as provided in §§ 15-112 or regulations adopted pursuant thereto.

- B. In addition to penalty, any person violating this section shall pay any and all reasonable and necessary charges incurred by the landowner or other person in having any motor vehicle removed from the property and stored.

*State Law Reference:* Similar provisions, 47 O.S. § 11-1007.

§ 15-720      PARKING FOR CERTAIN PURPOSES PROHIBITED.

No person shall park a vehicle upon any roadway for the purpose of:

- A. Displaying the vehicle for sale;
- B. Displaying advertising or displaying merchandise or other things for sale or selling merchandise or other things; or
- C. Washing, cleaning, or repairing the vehicle, except for repairs necessitated by an emergency. (Prior Code, Chapter 20, as amended)

§ 15-721      METHOD OF PARKING, STANDING OR PARKING CLOSE TO CURB.

Except as otherwise provided in this chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs, shall be so stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen (18) inches of the right-hand curb. Any vehicle stopped or parked upon the left-hand side of a one-way street where there are adjacent curbs shall be parked or stopped with the left-hand wheels parallel to and within eighteen (18) inches of the left-hand curb. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Parking rules, 47 O.S. § 11-1004.

§ 15-722      NEGLIGENT PARKING.

No person shall park, cause to be parked, stop or leave unattended any vehicle as follows:

- A. In a careless or negligent manner;
- B. In such a manner as to endanger life, limb, person, or property; or
- C. In such manner as to endanger or interfere with the lawful traffic or use of the streets. (Prior Code, Chapter 20, as amended)

§ 15-723      RIGHT-OF-WAY TO PARALLEL PARKING SPACE.

- A. The driver of any vehicle intending to occupy a parallel parking space where a backing

movement is necessary and which is being vacated by another vehicle shall stop his vehicle to the rear of the parking space until the vacating vehicle has cleared and entered normal traffic. He then shall be deemed to have the right-of-way to such parking space over any other vehicle attempting to park therein.

- B. The first of two (2) or more vehicles to reach the rear boundary of an unoccupied parallel parking space where a backing movement is necessary to occupy, shall be deemed to have the right-of-way to such parking space. (Prior Code, Chapter 20, as amended)

## CHAPTER 8

### LOADING

- § 15-801 Definitions.
- § 15-802 Curb loading zones, designations.
- § 15-803 Loading zones to be used only for designated purpose.
- § 15-804 Stopping, standing or parking in passenger curb loading zone.
- § 15-805 Stopping, standing or parking in freight curb loading zone.
- § 15-806 Designation of public carrier stops and stands.
- § 15-807 Use of bus and taxicab stands restricted.
- § 15-808 Stopping, standing and parking of buses and taxis.

#### § 15-801      DEFINITIONS.

As used in this chapter:

- A. “Freight loading zones” mean all curb loading zones authorized and regularly used exclusively for the loading and unloading of merchandise for storage, trade, shipment or re-sale;
- B. “Commercial vehicle”: means:
  - 1. A truck designated for delivery purposes with the name of the owner or his business painted on both sides of the vehicle, regularly used during normal business hours for the delivery and handling of merchandise or freight and which bears a regular state commercial license tag; and
  - 2. A passenger vehicle used regularly and actually engaged during normal business hours in the delivery and handling of merchandise or freight, and which bears a special numbered license plate issued by the city at the rear of the vehicle attached to the state license plate together with an identically numbered decal issued to the vehicle; and
- C. “Passenger loading zones” mean all loading zones authorized and used regularly and exclusively for the loading and unloading of passengers except bus stops, taxicab stands, and stands for other passenger common carrier vehicles. (Prior Code, Chapter 20, as amended)

#### § 15-802      CURB LOADING ZONES, DESIGNATION.

- A. The city manager, subject to any directions which the council may give by motion or resolution, may determine the location of passenger and freight curb loading zones and shall have placed and maintained appropriate signs indicating the zones and stating the hours during which the provisions of this section are applicable. By the same authority, such zones may be changed or discontinued.
- B. No person shall stand or park a vehicle in violation of signs erected in accordance with

this section.

- C. If any loading zone is established on request of any person, the signs shall not be placed until the applicant pays to the city an amount of money estimated by the city council to be adequate to reimburse the city for all costs of establishing and signing the same. (Prior code, Chapter 20, as amended)

§ 15-803      LOADING ZONES TO BE USED ONLY FOR DESIGNATED PURPOSES.

No curb loading zone authorized and established as a passenger loading zone shall be used as a freight loading zone, and no freight loading zone shall be used as a passenger loading zone except as may be specifically provided by law. (Prior Code, Chapter 20, as amended)

§ 15-804      STOPPING, STANDING, OR PARKING IN PASSENGER CURB LOADING ZONE.

No person, other than the operator of a U.S. Postal vehicle engaged in collecting or delivering U.S. Mail, shall stop, stand, or park a vehicle in a passenger curb loading zone for any purpose or period of time other than for the expeditious loading or unloading of passengers, during the hours when the regulations applicable to such curb loading zones are effective, and then only for a period not to exceed three (3) minutes. (Prior Code, Chapter 20, as amended)

§ 15-805      STOPPING, STANDING OR PARKING IN FREIGHT CURB LOADING ZONE.

- A. No person, other than the operator of a U.S. Postal vehicle engaged in collecting or delivering U.S. Mail, shall stop, stand, or park a vehicle in a commercial curb loading zone for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes. Vehicles using any commercial loading zone are subject to the licensing requirements and regulations provided by this chapter.
- B. The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with any commercial vehicle which is waiting to enter the zone. (Prior Code, Chapter 20, as amended)

§ 15-806      DESIGNATION OF PUBLIC CARRIER STOPS AND STANDS.

The city manager, subject to any directions which the council may give by motion or resolution, is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets, in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs. By the same authority, such stops and stands may be changed or discontinued. (Prior Code, Chapter 20, as amended)

§ 15-807      USE OF BUS AND TAXICAB STANDS RESTRICTED.

No person, other than the operator of a U.S. Postal vehicle engaged in collecting or delivering U.S. Mail, shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and the appropriate signs are in place. The driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone. (Prior Code, Chapter 20, as amended)

§ 15-808      STOPPING, STANDING AND PARKING OF BUSES AND TAXIS.

- A.      The operator of a bus shall not stand or park such vehicles upon any street at any place other than a bus stand so designated as provided herein.
  
- B.      The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage except in loading areas designated as provided herein, except in case of an emergency.
  
- C.      The operator of a bus shall enter a bus stop, bus stand, or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.
  
- D.      The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers. (Prior Code, Chapter 20, as amended)

## CHAPTER 9

### TURNING MOVEMENTS

- § 15-901 Turning markers or indicators.
- § 15-902 Designation of restricted turns.
- § 15-903 U-Turns.
- § 15-904 Position and method of turning.
- § 15-905 Turning movements and required signals.
- § 15-906 Means of giving turn signals.
- § 15-907 Method of giving hand and arm signals.
- § 15-908 Turns into or from alleys.

#### § 15-901 TURNING MARKERS OR INDICATORS.

- A. The city manager, subject to any directions which the council may give by motion or resolution, is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. The course to be traveled, as so indicated, may conform to or be other than as prescribed by law.
- B. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning there at, no driver of a vehicle shall disobey the directions of such indications. (Prior Code, Chapter 20, as amended)

#### § 15-902 DESIGNATION OF RESTRICTED TURNS.

- A. The city manager, subject to any directions which the council may give by motion or resolution, is hereby authorized to determine those street intersections at which drivers of vehicles shall not make right, left or u-turns, and shall have proper signs placed at the intersections. The making of the turns may be prohibited between certain hours of any day and permitted at other hours. Where turns are restricted during certain hours pursuant to this section, the same shall be plainly indicated on the signs, or they may be removed when turns are permitted.
- B. Whenever authorized signs are erected indicating that no right, left or u-turn is permitted, the driver of a vehicle shall not disobey the directions of any such sign. (Prior Code, Chapter 20, as amended)

#### § 15-903 U-TURNS.

- A. The driver of a vehicle shall not turn the vehicle so as to proceed in the opposite direction upon any street in the city at the following locations:
  - 1. At intersections controlled by traffic control devices or signals unless such turns are specifically authorized;
  - 2. Where a police officer is directing traffic except at the latter's direction; or

3. At any other location where an official “no u-turn” has been placed and is maintained.
- B. A u-turn may be made only when it can be made in safety and without interfering with other traffic. No person shall make a u-turn except in the following manner:
1. By approaching the intersection as closely as practical to the right curb or edge of the roadway, the driver giving and continuing to give a signal for a left turn until the turn is completed, proceeding to make the turn across the intersection;
  2. In one continuous movement without stopping or backing the vehicle;
  3. By yielding the right-of-way at all times to all vehicles until such turn is completed;
  4. Without constituting a hazard to or interfering with any other vehicle.

§ 15-904      POSITION AND METHOD OF TURNING.

The driver of a vehicle intending to turn at an intersection shall do as follows:

- A. Right turns: Both the approach for a right turn and the execution of a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway;
- B. Left turns on two-way roadways: At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, the approach for a left turn shall be made in that portion of the right half of the street nearest the center thereof by passing to the right of the center line where it enters the intersection. After entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection; and
- C. Left turns, on other than two-way roadways: At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle. After entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon roadway being entered. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-601.

§ 15-905      TURNING MOVEMENTS AND REQUIRED SIGNALS.

- A. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in § 15-904 of this code, or turn a vehicle to enter a private

road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.

- B. A signal of intention to turn right or left, slow or stop when required, shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning or stopping.
- C. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give the signal. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 11-604.

§ 15-906      MEANS OF GIVING TURN SIGNALS.

- A. Any stop or turn signal when required herein shall be given either by means of hand or arm, or by a signal lamp or lamps, or mechanical device of a type approved by the Oklahoma Department of Public Safety, except as provided in Subsection B of this section.
- B. A vehicle shall be equipped with, and the required signal given by, signal lamps or devices when:
  - 1. The body or cab of a vehicle or the load of any vehicle projects twenty-four (24) inches or more to the left of the center of the steering wheel;
  - 2. Under any condition where a hand and arm signal would not be visible both to the front and rear of the vehicle; or
  - 3. The rear limit of the body of a vehicle or the load of any vehicle projects fourteen (14) feet or more beyond the center top of the steering post. (Prior Code, Chapter 20, as amended)

§ 15-907      METHOD OF GIVING HAND AND ARM SIGNALS.

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- A. Left turn - hand and arm extended horizontally;
- B. Right turn- hand and arm extended upward; and
- C. Stop or decrease speed - hand and arm extended downward with palm to the rear. (Prior Code, Chapter 20, as amended)



§ 15-908      TURNS INTO OR FROM ALLEYS.

- A.      No vehicle shall turn left when proceeding into or proceeding out of an alley except when necessary to enter a one-way street, and no vehicle shall cross any street or highway when proceeding into or proceeding out of an alley except as provided in Subsection B of this section.
  
- B.      Left turns may be made when proceeding out of an alley if a traffic survey conducted by the traffic engineer shows that such turn may be made safely and official signs are erected authorizing such turns.
  
- C.      The foregoing provisions of this section shall not apply to bus terminals used by licensed and authorized bus lines. (Prior Code, Chapter 20, as amended)

## CHAPTER 10

### PEDESTRIANS

- § 15-1001 Pedestrians subject to traffic control signals.
- § 15-1002 Pedestrian's right-of-way at crosswalks.
- § 15-1003 Pedestrians to use right half of crosswalk.
- § 15-1004 Crossing at right angles.
- § 15-1005 When pedestrians shall yield.
- § 15-1006 Pedestrians walking along roadways.
- § 15-1007 Pedestrians prohibited from soliciting rides, business or donations from vehicle occupants.
- § 15-1008 Drivers to exercise due care.
- § 15-1009 Crossing prohibited.
- § 15-1010 Obedience of pedestrians to railroad signals.

#### § 15-1001 PEDESTRIANS SUBJECT TO TRAFFIC CONTROL SIGNALS.

Pedestrians are subject to traffic control signals as provided for in this code of ordinances, but at all other places, pedestrians are granted those rights and are subject to the restrictions stated in this chapter. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Pedestrian rights and duties, 47 O.S. §§ 11-501 to 11-507.

#### § 15-1002 PEDESTRIAN'S RIGHT-OF-WAY AT CROSSWALKS.

- A. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be, to so yield to a pedestrian crossing the roadway within a crosswalk when:
  - 1. The pedestrian is upon the half of the roadway upon which the vehicle is traveling; or
  - 2. The pedestrian is approaching so closely from the opposite edge of the roadway as to be in danger.
- B. The provisions of this subsection are not applicable under conditions where pedestrians are required to yield pursuant to this chapter.
- C. No pedestrian shall suddenly leave a curb or other place of safety or walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- D. Whenever any vehicle is stopped at a marked crosswalk, or any unmarked crosswalk, or at an intersection to permit a pedestrian to cross a roadway, the driver of any other vehicle approaching from the rear shall not overtake to pass such stopped vehicle. (Prior Code, Chapter 20, as amended)

#### § 15-1003 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK.

Pedestrians, when crossing the street at a crosswalk, shall move, whenever practicable, upon the right half of the crosswalk. (Prior code, Chapter 20, as amended)

§ 15-1004     CROSSING AT RIGHT ANGLES.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk. (Prior Code, Chapter 20, as amended)

§ 15-1005     WHEN PEDESTRIANS SHALL YIELD.

- A. Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk at any intersection shall yield the right-of-way to all vehicles upon the roadway.
- B. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
- C. The provisions of this section are not applicable where pedestrian crossings are prohibited. (Prior Code, Chapter 20, as amended)

§ 15-1006     PEDESTRIANS WALKING ALONG ROADWAYS.

- A. Where sidewalks are provided, it is unlawful for any pedestrian to walk along and upon an adjacent roadway.
- B. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practical, walk only on the left side of the roadway, or its shoulder, facing traffic which may approach from the opposite direction, and shall yield to approaching vehicles. (Prior Code, Chapter 20, as amended)

§ 15-1007     PEDESTRIANS PROHIBITED FROM SOLICITING RIDES, BUSINESS OR DONATIONS FROM VEHICLE OCCUPANTS.

- A. No person shall stand in a roadway for the purpose of soliciting a ride, donations, employment or business from the occupant of any vehicle.
- B. No person shall:
  - 1. Stand in any street, roadway or park and stop or attempt to stop and engage any person in any vehicle for the purpose of soliciting contributions or the watching or guarding of any vehicle while parked or about to be parked on a street;
  - 2. Sell or attempt to sell anything to any person in any vehicle;
  - 3. Hand or attempt to hand to any person in any vehicle any circular, advertisement,

handbill or any political campaign literature, or any sample, souvenir or gift; or

4. In any other manner, while standing in the street or roadway, attempt to interfere with the normal flow of traffic for any other similar purpose. (Prior Code, Chapter 20, as amended)

§ 15-1008      DRIVERS TO EXERCISE DUE CARE.

Notwithstanding the foregoing provisions of this chapter, every driver shall exercise due care to avoid colliding with any pedestrian upon any roadway, and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person on the roadway. (Prior Code, Chapter 20, as amended)

§ 15-1009      CROSSING PROHIBITED.

Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk. Pedestrians shall not cross any divided highway having a median in the center thereof, except in a crosswalk. (Prior Code, Chapter 20, as amended)

§ 15-1010      OBEDIENCE OF PEDESTRIANS TO RAILROAD SIGNALS.

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed. (Prior Code, Chapter 20, as amended)

## CHAPTER 11

### BICYCLES

|           |  |
|-----------|--|
| § 15-1101 | Application of bicycle regulations.      |
| § 15-1102 | Application of traffic laws to bicycles. |
| § 15-1103 | Obedience to traffic control devices.    |
| § 15-1104 | Riding on bicycles.                      |
| § 15-1105 | Riding on roadways and bicycle paths.    |
| § 15-1106 | Speed of bicycle.                        |
| § 15-1107 | Emerging from alley or driveway.         |
| § 15-1108 | Carrying articles.                       |
| § 15-1109 | Parking.                                 |
| § 15-1110 | Riding on sidewalks.                     |
| § 15-1111 | Lamps and equipment on bicycles.         |
| § 15-1112 | Impoundment of bicycles.                 |

#### § 15-1101 APPLICATION OF BICYCLE REGULATIONS.

The provisions of this chapter shall apply whenever a bicycle is operated upon any street or upon any public way; or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated in this chapter. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Bicycle rules, 47 O.S. §§ 11-1201 et seq.

#### § 15-1102 APPLICATION OF TRAFFIC LAWS TO BICYCLES.

Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state and the traffic provisions of this code applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons. (Prior Code, Chapter 20, as amended)

#### § 15-1103 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

- A. Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles unless otherwise directed by a police officer.
- B. Whenever authorized signs are erected indicating no right or left or u-turn is permitted, no person operating a bicycle shall disobey the directions of such sign, except where such person dismounts from the bicycle to make such turn, in which event, such person shall then obey the regulations applicable to the pedestrians. (Prior Code, Chapter 20, as amended)

#### § 15-1104 RIDING ON BICYCLES.

- A. No person operating a bicycle shall ride other than astride a permanent and regular seat

attached thereto.

- B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (Prior Code, Chapter 20, as amended)

§ 15-1105 RIDING ON ROADWAYS AND BICYCLE PATHS.

- A. Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.
- B. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- C. If usable paths for bicycles are provided adjacent to a roadway, bicycle riders shall use such paths and shall not use the roadway. (Prior Code, Chapter 20, as amended)

§ 15-1106 SPEED OF BICYCLE.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. (Prior Code, Chapter 20, as amended)

§ 15-1107 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley or driveway shall, upon approaching a sidewalk or sidewalk area extending across the alley or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area. Upon entering the roadway, the bicycle operator shall yield the right-of-way to all vehicles approaching on the roadways. (Prior Code, Chapter 20, as amended)

§ 15-1108 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand on the handlebars. (Prior Code, Chapter 20, as amended)

§ 15-1109 PARKING.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against the building or at the curb in such a manner as to afford the least obstruction to pedestrian traffic. (Prior Code, Chapter 20, as amended)

§ 15-1110 RIDING ON SIDEWALKS.

- A. No person shall ride a bicycle upon a sidewalk within a business district.
- B. The city manager is authorized to have erected signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person; and when such signs are in

place, no person shall disobey same.

- C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Prior Code, Chapter 20, as amended)

§ 15-1111 LAMPS AND EQUIPMENT ON BICYCLES.

- A. Bicycles in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
- B. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.
- C. Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (Prior Code, Chapter 20, as amended)

§ 15-1112 IMPOUNDMENT OF BICYCLES.

Whenever any person violates any provision of this chapter, in addition to any other penalty prescribed for such violation, his bicycle may be impounded for a period not to exceed ten (10) days. (Prior Code, Chapter 20, as amended)

## CHAPTER 12

### WRECKER AND TOWING REGULATIONS

§ 15-1201      Rotation of wrecker operations services.

§ 15-1201      ROTATION OF WRECKER OPERATIONS SERVICES.

Wrecker or towing services requested by the city for removal of vehicles from public property for reasons as set forth in § 951 et seq. of Title 47 of the Oklahoma Statutes shall be determined and regulated by the city. The regulations shall be in the manner as set forth by applicable resolution or resolutions of the governing body. Any such applicable resolutions in force at the time of passage of this section are hereby affirmed, ratified and adopted pursuant to this section and shall continue in full force and effect until repealed or amended. (Ord. No. 356, 10/6/87; Res. 13-01)



## CHAPTER 13

### MOTORCYCLES

- § 15-1301 Operator to ride on permanent seat.
- § 15-1302 Carrying passengers.
- § 15-1303 Head gear for operators and riders.
- § 15-1304 Windshield goggles or face shield for operator.
- § 15-1305 Maximum height of handlebars.
- § 15-1306 Rear view mirrors.
- § 15-1307 Brakes.
- § 15-1308 Lights generally.
- § 15-1309 Stop lamp.
- § 15-1310 Speedometer.
- § 15-1311 Fenders.
- § 15-1312 Rider not to hold to other moving vehicles.
- § 15-1313 Passing other vehicles between traffic lanes.
- § 15-1314 Speed limit.

#### § 15-1301 OPERATOR TO RIDE ON PERMANENT SEAT.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provision, 47 O.S. § 11-1103.

#### § 15-1302 CARRYING PASSENGERS.

No driver or operator of a motorcycle shall carry any other person on, upon or within such vehicle on any street or highway in the city; provided, however, that if any motorcycle with a wheel diameter of twelve (12) inches or greater shall have either a double seating device, with double foot rests, or a sidecar attachment for each person riding therein, so that such person shall be seated entirely within the body of such sidecar, then it shall be permissible for an operator who has attained the age of sixteen (16) years or older to carry a passenger. A demonstration ride by a licensed dealer or his employee is excepted from the provisions of this section. (Prior Code, Chapter 20, as amended)

#### § 15-1303 HEAD GEAR FOR OPERATORS AND RIDERS.

No person under eighteen (18) years of age shall operate or ride upon any motorcycle on any street unless such person is equipped with and wearing on the head a crash helmet of the type and design manufactured for use by the operators of such vehicles. All crash helmets shall consist of lining, padding and chin straps and shall be of such type as not to distort the view of the wearer. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions applying to persons under 18 years of age, 47 O. S. § 12-609(B).

§ 15-1304      WINDSHIELD; GOGGLES OR FACE SHIELD FOR OPERATOR.

All motorcycles operated on streets shall be equipped with a windshield of sufficient quality, size, and thickness to protect the operator from foreign objects, except that, in lieu of such windshield, the operator may wear goggles or a face shield of material and design to protect him from foreign objects. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-609(A)(2)

§ 15-1305      MAXIMUM HEIGHT OF HANDLEBARS.

Handlebars on motorcycles shall not exceed twelve (12) inches in height, measured from the crown or point of attachment. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-609(C).

§ 15-1306      REAR VIEW MIRRORS.

All motorcycles operated on streets shall be equipped with two (2) mirrors containing a reflection surface of not less than three (3) inches in diameter, mounted one on each side of the vehicle and positioned so as to enable the operator to clearly view the roadway for a distance of two hundred (200) feet to the rear of his vehicle. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-609(A)(1).

§ 15-1307      BRAKES.

Every motorcycle operated on streets shall be equipped with brakes adequate to control the movement of same to stop and hold such vehicle, including two (2) separate means of applying the brakes, one means to be effective to apply the brakes to the front wheel and one means to be effective to apply the brakes to the rear wheels. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-608.

§ 15-1308      LIGHTS GENERALLY.

Every motorcycle operated on streets shall be equipped with at least one lighted head lamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the vehicle is proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear. Lights required by this section shall be burning whenever such vehicles are in motion during the period from one-half (½) hour after sunset and one-half (½) hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. §§ 12-601 to 12-606.

§ 15-1309      STOP LAMP.

Every motorcycle operated on streets shall be equipped with a stop lamp on the rear of the vehicle, which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service brake. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-605.

§ 15-1310      SPEEDOMETER.

All motorcycles operated in streets shall be equipped with a properly operating speedometer capable of registering at least the maximum legal speed limit for the vehicle. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-609(A)(3).

§ 15-1311      FENDERS.

All motorcycles operated on streets shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer. (Prior Code, Chapter 20, as amended)

*State Law Reference:* Similar provisions, 47 O.S. § 12-609(A)(4).

§ 15-1312      RIDER NOT TO HOLD TO OTHER MOVING VEHICLES.

No rider of a motorcycle shall hold to any other moving vehicle for the purpose of being propelled. (Prior Code, Chapter 20, as amended)

§ 15-1313      PASSING OTHER VEHICLES BETWEEN TRAFFIC LANES.

No driver of a motorcycle shall pass other vehicles in between lanes of traffic traveling in the same direction, authorized emergency vehicles excepted. (Prior Code, Chapter 20, as amended)

§ 15-1314      SPEED LIMIT.

No person shall operate a motorcycle at a speed greater than the speed limit legally posted; provided, however, in no event nor at any time may an operator under the age of sixteen (16) years operate a motorcycle at a speed greater than thirty-five (35) miles per hour. (Prior Code, Chapter 20, as amended)

## CHAPTER 14

### IMPOUNDMENT OF VEHICLES

|           |  |
|-----------|--|
| § 15-1401 | Purpose.   |
| § 15-1402 | Authorized.  |
| § 15-1403 | Illegal trespass by vehicle.                               |
| § 15-1404 | Seized and impounded vehicle storage.                      |
| § 15-1405 | Notice to be given to owner of impounded vehicle if known. |
| § 15-1406 | Place of impoundment.                                      |
| § 15-1407 | Duration; release.   |
| § 15-1408 | Redemption of impounded vehicles.                          |

#### § 15-1401     PURPOSE.

The impoundment of vehicles under authority of the provisions of this chapter shall be construed as an enforcement procedure for protection of the public peace, safety and welfare, and the safe-keeping of property. Such procedure shall be used generally for the prevention and removal of traffic hazards arising from traffic law violations, protection of the public rights and privileges in the use of city streets and thoroughfares from obstructions placed and left in derogation of such rights, to safeguard and protect recovered stolen vehicles, and to protect the property of persons arrested from damages or theft. (Prior Code, Chapter 20; Code § 15-1401; Ord. No. 419, 5/5/92)

#### § 15-1402     AUTHORIZED.

Members of the police department are hereby authorized to remove a vehicle from any street, highway, public property or private property open to public access, to storage facility as provided for in this chapter under the following circumstances:

- A. When any vehicle is left unattended or improperly parked upon any public right-of-way and is so parked as to constitute a hazard or obstruction to the normal movement of traffic or parked where parking is prohibited;
- B. When a person in charge of the vehicle is physically incapacitated to such extent as to be unable to provide for its custody or removal and the vehicle is so disabled as to constitute an obstruction to traffic or a hazard;
- C. When a derelict vehicle has been parked upon public right-of-way for a period of seventy-two (72) hours;
- D. When any vehicle is left abandoned upon public right-of-way in excess of seven (7) days from the date it was first reported or observed by officers;
- E. When officers recover a vehicle reported stolen and the owner cannot be located, is unable or unwilling to effect the removal of the vehicle in a reasonable amount of time, not to exceed one hour, or the preservation and collection of evidence requires removal;

- F. When a vehicle is of evidentiary value or involved in the commission of a crime;
- G. When a police officer effects the arrest of the owner or operator of a vehicle out of the vehicle, or which leaves or will leave a vehicle unattended on any street, highway or public place or private property open to public access, and no person present can lawfully or reasonably be given custody of such vehicle;
- H. When a vehicle has been parked for more than one hour in excess of the time allowed for parking in any place;
- I. When a vehicle is illegally parked in such a manner that it blocks a fire escape ladder, device or exit or blocks ready access to a fire hydrant; and
- J. When a vehicle to which two (2) or more citations have been issued, pursuant to this code for violation of any ordinance, and have not been presented as required, if parked in violation of any provision of this part. (Prior Code, Chapter 20, as amended; Code §s 15-1404, 15-1414 in part; Ord. No. 419, 5/5/92)

§ 15-1403     ILLEGAL TRESPASS BY VEHICLE.

- A. An unattended vehicle found to be in violation of this code may be impounded when the required complaint has been properly made and filed as provided in this section.
- B. If a violation of the provisions of this code occurs, the owner or legal occupant who complains shall sign a complaint against the person parking the vehicle on the owner's or legal occupant's property, or if the identity of the person parking the vehicle is unknown, then the complaint may be filed against the registered owner of the vehicle. The complaint shall be verified and shall allege that the complaining party is the owner or legal occupant of the property upon which the vehicle is parked or standing.
- C. Upon filing of the complaint by the property owner, or legal occupant, and if there appears to be proper cause to believe the provisions of this code have been violated, the police department shall cause the vehicle to be impounded from the property and placed in storage. (Prior Code, Chapter 20, as amended; Code § 15-1409; Ord. No. 419, 5/5/92)

§ 15-1404     SEIZED AND IMPOUNDED VEHICLE STORAGE.

- A. Vehicles seized or impounded by the city may, at the direction of the police department, be transported to the maintenance center or other place of storage owned and operated by the city, for reasons including investigative purposes, extraordinary purposes, or the intended vehicle seizure through court for narcotic statute violations. The owner of the vehicle shall be responsible to the city for the following costs prior to the city releasing the vehicle to the owner. The city manager, or his designee, may, to meet best ends of justice or expedite on-going investigations, release the owner of part or all of the cost owed the city except that portion of the incurred costs representing the actual towing expense which may not be waived:
  - 1. The actual cost paid by the city to have the vehicle transported to the place of

storage;

2. A storage charge per day or any portion thereof. For purposes of this section, the day of receipt shall constitute the first day and the day of release shall constitute the last day. The storage charge shall be set by motion or resolution of the city council; or
  3. All fees incurred by the city, including lien filing fees, to either return the vehicle to the owner or sell the vehicle pursuant to statutory authority.
- B. Prior to releasing the vehicle, the owner shall obtain authorization to release from the police department and pay all costs listed in paragraphs 1 and 2 of Subsection A above. If the owner fails to claim the vehicle within one hundred twenty (120) days of the seizure or impoundment of the vehicle, or within one hundred twenty (120) days of the release of the vehicle to the owner thereof by a court having jurisdiction (for example: vehicles seized under the drug forfeiture statutes), then the city manager is directed to institute proceedings to have the vehicle disposed of under the applicable statutes of the state.
- C. The wrecker service transporting the seized vehicle to the city storage facility shall be released of all liability for damages or loss of contents of such vehicle being received at the city storage facility as of the time of receipt.
- D. The city shall cooperate with all law enforcement agencies to speedily dispose of all seized and forfeited vehicles. (Ord. No. 419, 5/5/92)

§ 15-1405 NOTICE TO BE GIVEN TO OWNER OF IMPOUNDED VEHICLE IF KNOWN.

Whenever an officer removes an unattended vehicle from a street or highway as authorized in this chapter, and the officer has knowledge of or is able to ascertain from the motor vehicle registration the name and address of the last registered owner thereof, such officer shall give or cause to be given notice in writing to such owner of the fact of such removal, the reasons therefore and the place to which such vehicle has been removed. (Ord. No. 419, 5/5/92)

§ 15-1406 PLACE OF IMPOUNDMENT.

Every vehicle that is impounded under the provisions of this chapter shall be removed to the nearest garage or other place for safekeeping as designated by ordinances or resolutions enacted by the city council. (Prior Code, Chapter 20, as amended; Code § 15-1402; Ord. No. 419, 5/5/92)

§ 15-1407 DURATION; RELEASE.

- A. Any vehicle impounded under the authorization granted herein shall be stored and held safe until a written order of its release, signed by an authorized police officer, has been issued.

B. Such order of release shall be conditioned upon:

1. Presentation of positive identification of the owner or person who is requesting the release;
2. Presentation of legal authorization to obtain the release if requested by a person who is not the legally registered owner of the vehicle;
3. Presentation of a current and updated title in the name of the current owner or, in case of exigent circumstances, other positive proof of ownership of the vehicle;
4. Presentation of proof of a current and valid vehicle registration plate or decal if not affixed to the vehicle at time of impoundment if the vehicle is to be driven from the storage location;
5. Presentation of current and valid security verification if the vehicle is to be driven from the storage location;
6. Payment by the person to whom the release is issued of all impoundment costs and accrued storage charges assessed against such vehicle by the city; and
7. Payment of all fines and costs due the city because of traffic law or other law violations involving such vehicle which have not been paid.
8. An impoundment fee in an amount shown on the Schedule of Fees maintained by the City Clerk and shall be independent of any fines, other costs or fees that may be assessed from citations issued to any person for violation of traffic laws or other ordinance violations involving the impounded vehicle and in addition to any fees owed to the towing service for impoundment and storage; and
9. It is hereby declared to be the purpose of the impoundment fee provided for in this section to provide revenues for the purpose of public safety technology to include, but not be limited to, Mobile Cop Air Cards; and all such impoundment fees be placed in the Public Safety Training Fund established for such purposes. (Prior Code, Chapter 20, as amended; Code § 15-1403; Ord. No. 419, 5/5/92, Ord. No. 675, 3/8/11)

§ 15-1408 REDEMPTION OF IMPOUNDED VEHICLES.

Presentation of the order of release as provided in this chapter at the place of impoundment together with payment or tender of payment of all impoundment costs and accrued storage charges due, shall entitle the person presenting such release to obtain possession of such vehicle. (Ord. No. 419, 5/5/92)

## CHAPTER 15

### PENALTIES

- § 15-1501           Obedience to traffic code.  
§ 15-1502           Penalties.

§ 15-1501       OBEDIENCE TO TRAFFIC CODE.

- A.     It is an offense against the city for any person to do any act forbidden or to fail to perform any act required by this part.
- B.     It is an offense against the city for the parent of any child or for the guardian of any ward to authorize or knowingly permit any such child or ward to violate any of the provisions of this part.
- C.     It is an offense for any person to authorize or knowingly to permit any vehicle registered in his or her name to be driven or to stand or to be parked in violation of any of the provisions of this part. (Prior Code, Chapter 20, as amended)

§ 15-1502       PENALTIES.

Every person violating any of the provisions of this part containing the traffic laws of the city shall be guilty of an offense and upon conviction thereof shall be fined or punished as provided in § 1-108 of this code. (Prior Code, Chapter 20, as amended)