TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING

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CHAPTER 1

IN GENERAL

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15-1-1. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) "Alley" means any lane or other passageway as so designated by the official map of the city.

(2) "Authorized emergency vehicle" means vehicles of the fire department, fire patrol, police vehicles or bicycles and such emergency vehicles

as are designated or authorized by the commissioner or the chief of police of an incorporated city, and vehicles operated by commissioned members of the state bureau of investigation when on official business. Such term automatically includes every ambulance and emergency medical vehicle operated by any emergency medical service licensed by the state's department of health pursuant to title 68, chapter 140, part 5. Such term automatically includes every rescue vehicle or emergency response vehicle owned and operated by a state-chartered rescue squad, emergency lifesaving crew or active member unit of the Tennessee Association of Rescue Squads.

(3) "Bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels, either of which is more than twenty (20) inches in diameter.

(4) "Bus" means every motor vehicle designed for carrying more than ten 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.

(5) "Chauffeur" means every person who is employed by another for the principal purpose of driving a motor vehicle and every person who drives a school bus transporting school children or any motor vehicle when in use for the transportation of persons or property for compensation.

(6) "Coach stop" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(7) "Controlled access highway" means every street, highway 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 street, highway or roadway.

(8) "Crosswalk" 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. Such term shall also include any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(9) "Curb" means the lateral boundary of that portion of the street designated for the use of vehicles, whether marked with a curbstone or not.

(10) "Drag racing" means that use of any motor vehicle for the purpose of ascertaining the maximum speed obtainable by the vehicle; the use of any motor vehicle for the purpose of ascertaining the highest obtainable speed of the vehicle within a certain distance or within a certain time limit; the use of any one or more motor vehicles for the purpose of comparing the relative speeds of such vehicles within a certain distance or within a certain time limit; the use of one or more motor vehicles in an attempt to outgain, outdistance or to arrive at a given destination simultaneous with or prior to that of any other motor vehicle; the use of any motor vehicle for the purpose of the accepting of, or the

carrying out of, any challenge, made orally, in writing, or otherwise, made or received with reference to the performance abilities of one or more motor vehicles.

(11) "Drag racing participant" means that person who operates any motor vehicle upon the public highways of this city for the purpose of drag racing, and also any person who arranged for, supervises, or in any way and manner sets in motion any such drag racing, regardless of whether or not such person may be the operator of, or be a passenger in, any motor vehicle participating in such drag racing.

(12) "Driver" means every person who drives or is in actual physical control of a vehicle.

(13) "Intersection" means the area embraced within the prolongation or connection of the lateral curblines, or if none, then the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles or the areas within which vehicles traveling upon different streets joining at any other angle may come in conflict. Where a street includes two 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. If such intersecting street also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such street shall be regarded as a separate intersection.

(14) "Laned roadway" means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

(15) "License to operate a motor vehicle" means any operator's or chauffeur's license, or any other license or permit to operate a motor vehicle issued under the laws of the state including:

(a) Any temporary license or instruction permit;

(b) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license;

(c) Any nonresident's operating privilege.

(16) "Loading and unloading zone" means any portion of the street designated by the city engineer and marked by official signs for the use of vehicles while actually engaged in loading or unloading freight or picking up and discharging passengers.

(17) "Metal tire" means every tire, the surface of which is in contact with the street, which is wholly or partly of metal or other hard, nonresilient material.

(18) "Motor vehicle" means every vehicle which is self-propelled excluding motorized bicycles, but not operated upon rails.

(19) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or motorized bicycle.

(20) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower,

or with a cylinder capacity not exceeding one hundred twenty-five (125) cubic centimeters.

(21) "Motorized bicycle" means a vehicle with two or three wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters which produces no more than two brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground. The operator of a motorized bicycle must be in possession of a valid operator's or chauffeur's license, and shall be subject to all applicable and practical rules of the road. A motorized bicycle may not be operated on a highway of the interstate and defense highway system, any similar limited access multilane divided highway, or upon sidewalks.

(22) "Off-street parking facility" means any lot, building or space used for the parking of automobiles or other motor vehicles where charges are made for the parking or storage of automobiles or other motor vehicles thereon.

(23) "Official traffic control devices" means all signs, markings, signals and devices not inconsistent with this chapter, placed or erected by authority of the city engineer for the purpose of regulating, warning or guiding traffic.

(24) "Operator" means every person who drives or is in actual physical control of a motor vehicle upon a street or who is exercising control over or steering a vehicle being towed by a motor vehicle. The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner.

(25) "Owner" means a person who holds the legal title of a vehicle, or if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner.

(26) "Parade or procession" means an assemblage of persons and/or vehicles marching or maneuvering ceremoniously.

(27) "Park, when prohibited," means the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading.

(28) "Parking meter space" means any space adjacent to a parking meter, and which is duly designated for the parking of a single vehicle.

(29) "Pedestrian" means any person afoot.

(30) "Pneumatic tire" means every tire in which compressed air is designed to support the load.

(31) "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as

poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(32) "Police officer" means every officer of the police department or any person authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(33) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(34) "Public highways" means all of those streets, roads, highways, expressways, bridges and viaducts, including any and all adjacent rights of way thereto, which are owned, constructed, and/or maintained by the city or other governmental bodies, and any and all highways, roads, streets, etc., which have been dedicated to the public use.

(35) "Railroad" means a carrier of persons or property upon cars operated upon stationary rails.

(36) "Railroad sign or signal" means any sign, signal or device erected by authority of the proper officials of the city or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(37) "Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

(38) "Recreational vehicle" means any vehicle designed primarily for the transportation of passengers and providing temporary living quarters within the vehicle.

(39) "Residential district" means the territory contiguous to and including a street not comprising a business district when the property on such street for a distance of three hundred (300) feet or more is in the main improved with residences.

(40) "Right-of-way" means the privilege of the immediate use of the roadway.

(41) "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

(42) "Roadway" means that portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a street includes two or more separate roadways, the term "roadway" shall refer to any such roadway separately but not to all such roadways collectively.

(43) "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.

(44) "School bus" means every motor vehicle owned by a private, 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.

(45) "Semitrailer" means every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(46) "Sidewalk" means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

(47) "Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(48) "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the streets, including farm tractors, road construction or maintenance machinery, ditchdigging apparatus, well-boring apparatus and concrete mixers. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this definition.

(49) "Specially constructed vehicle" means every vehicle of a type required to be registered not originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

(50) "Stop, when required," means complete cessation from movement.

(51) "Stopping or standing," when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

(52) "Street" means the entire width between boundary lines of every way, when any part thereof is open to the use of the public for the purpose of vehicular travel.

(53) "Taxicab" means any vehicle, other than a bus or a truck, used in carrying or transporting persons for hire.

(54) "Taxicab stand" means any portion of the street assigned or allotted to any individual, co-partnership, firm or corporation for the exclusive purpose of parking one or more taxicabs.

(55) "Through street" means every street or portion thereof at the entrance to which vehicular traffic from intersecting streets is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

(56) "Tractor" means any self-propelled vehicle designed or used as a traveling power plant or for drawing other vehicles, but having no provision for carrying loads independently.

(57) "Traffic" means pedestrians, ridden, led or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

(58) "Traffic control signal" means any sign or device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(59) "Traffic division" means the traffic division of the police department of the city.

(60) "Trailer" means every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(61) "Truck" means every motor vehicle designed, used or maintained primarily for the transportation of property.

(62) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(63) "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter of a mile or more.

(64) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a street, excepting devices used exclusively upon stationary rails or tracks. State law references: Similar definitions, T.C.A. §§ 55-8-101, 55-10-501. (Ord. #13-99, Aug. 1999, as replaced by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-102. <u>Obedience to traffic officers</u>. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, invested by law with authority to direct, control. State law reference: Similar provisions, T.C.A. § 55-8-104. (as added by Ord. #61-05, Aug. 2005, and replaced by Ord. #66-06, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-103. <u>Obedience to school safety patrols</u>. All motorists and pedestrians shall obey the directions or signals of the school safety patrols, when such patrols are assigned under the authority of the chief of police, and when acting in accordance with instructions; provided, however, that such persons giving any order, signal or directions shall at the time be wearing some insignia and/or using authorized flags for giving signals. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-104. <u>Boarding or alighting from vehicle in motion</u>. No person shall board or alight from any vehicle while such vehicle is in motion. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-105. <u>Riding on portion of vehicle not intended for passengers</u>. No person shall ride on any vehicle upon any portion thereof not designed or

intended for the use of passengers. This section 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. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-106. Deposit of glass, nails and other such substances in street; removal. (1) No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such street.

(2) Any person who drops, or permits to be dropped or thrown, upon any street any destructive or injurious material, shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle. State law reference: Similar provisions, T.C.A. § 55-8-170. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-107. Riding animals or driving animal-drawn vehicles. Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all the rights and shall be subject to the provisions of this chapter applicable to the driver of any vehicle except those provisions of this chapter which by their very nature can have no application. State law reference: Similar provisions, T.C.A. § 55-8-105. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-108. Persons propelling pushcarts. Every person propelling any pushcart shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions which, by their very nature, can have no application. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-109. Public officers and employees. The provisions of this chapter applicable to drivers of vehicles upon the streets shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district or any other political subdivision of the state, subject to such specific exceptions as are set forth in this chapter. State law reference: Similar provisions, T.C.A. § 55-8-106.(as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-110. Persons working on street. Unless specifically made applicable, the provisions of this chapter shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street, but shall apply to such persons and vehicles when traveling to or from such work. State law reference: Similar provisions, T.C.A.

§ 55-8-107.(as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-111. Exemptions for authorized emergency vehicles. (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law 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.

(2) The driver of an authorized emergency vehicle may:

(a) Park or stand irrespective of the provisions of this chapter.

(b) Proceed past a red signal or stop sign, but only after slowing down as may be necessary for safe operation.

(c) Exceed the speed limits so long as he does not endanger life or property.

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted in this section to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable state laws, except that an authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

(4) The foregoing 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. State law reference: Similar provisions, T.C.A. § 55-8-108(a)--(d). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-112. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, the City of Piperton adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101through 55-8-131; §§ 55-8-133 through 55-8-180 and §§ 55-8-181 through 55-8-193.

Additionally, the City of Piperton adopts by reference as if fully set forth in this section, certain other traffic offenses as codified in the following Tennessee Code Annotated sections:

§§ 55-9-601 through 55-9-606; § 55-12-139; § 55-21-108; § 55-3-102; § 55-4-104; § 55-4-108; § 55-4-110; § 55-4-115; § 55-4-118; § 55-4-131; § 55-5-105; § 55-5-115; § 55-5-126; § 55-7-114; § 55-8-199; § 55-9-105; § 55-9-212; § 55-10-102; § 55-10-107; § 55-10-110; § 55-10-202; § 55-10-206; § 55-10-416; § 55-50-302; § 55-50-304; § 55-50-311; § 55-50-333; § 55-50-404; § 55-50-412; § 55-50-504; § 55-50-601.

(2) Penalty. Any person violating this section shall be guilty of an offense and upon conviction, shall pay a penalty of not less than one dollar ($1.00) nor more than fifty dollars ($50.00) for each offense. Each occurrence shall constitute a separate offense. (as added by Ord. #66-05, Aug. 2005, and replaced by Ord. #148-08, Oct. 2008, and Ord. #218-12, Dec. 2012)

15-113. Safety belts and child passenger restraint systems.

(1) Safety belts required-specifications. The city adopts by reference as if fully set forth in this section, Tennessee Code Annotated, § 55-9-601.

(2) Child passenger restraint systems. The city adopts by reference as if fully set forth in this section, Tennessee Code Annotated, § 55-9-602.

(3) Use of Safety belts in passenger vehicles. The city adopts by reference as if fully set forth in this section, Tennessee Code Annotated, § 55-9-603.

(4) Passengers over sixteen years of age. The city adopts by reference as if fully set forth in this section, Tennessee Code Annotated, § 55-9-606.

(5) Penalty. Any person violating this section shall be guilty of an offense and upon conviction shall pay a penalty of not less than one dollar ($1.00) nor more than fifty dollars ($50.00) for each offense. Each occurrence shall constitute a separate offense. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #147-08, Oct. 2008)

15-114. Heavy truck traffic. (1) It shall be unlawful for any person to operate upon Highway 196 any freight motor vehicle, tractor-trailer, or semi-trailer with a gross rated weight of more than twenty thousand (20,000) pounds effective with the following timelines:

(a) Segment of Highway 196 between Hwy. 72 and Hwy. 57-with the passage of the ordinance comprising this section;

(b) Segment of Highway 196 between Hwy. 57 and Raleigh-LaGrange Road -with the opening of SR 385/Hwy. 57.

(2) The following categories of heavy truck use are exempt from this section:

(a) The operation of heavy trucks upon any street where necessary to the conduct of business at a destination point within the city provided streets designated as truck routes are used until reaching the intersection nearest the designation point;

(b) The operation of heavy trucks owned or operated by the city, any contractor or material-vendor, while under contract to the city while engaged in the repair, maintenance, or construction of streets, street improvements, or street utilities within the city;

(c) The operation of school buses and buses used to transport persons to and from a place of worship, which run a designated route;

(d) The operation of emergency vehicles upon any street in the city.

(3) Penalty. Any person violating this section shall be guilty of an offense and upon conviction, shall pay a fine of not more than fifty dollars ($50.00).

(4) Signs shall be posted at a determined location on each street listed in subsection (1) after consultation with the city's public works department and police department indicating either by words or by appropriate symbols that heavy trucks are prohibited from traveling upon said streets. (as added by Ord. #66-05, Aug. 2005, deleted by Ord. #148-08, Oct. 2008, and added by Ord. #228-13, Sept. 2013)

15-115–15-124. [Deleted.] (as added by Ord. #66-05, Aug. 2005, as deleted by Ord. #148-08, Oct. 2008)

CHAPTER 2

ADMINISTRATION AND ENFORCEMENT

SECTION

15-201. Generally.
15-202. Accidents.
15-203--15-204. [Deleted.]

15-201. Generally. (1) General duties of chief of police. The chief of police is hereby vested with the power and is charged with the duty of observing, administering and enforcing the provisions of this chapter and of all laws regulating the operation of vehicles or the use of the streets, the enforcement or administration of which is now vested in the police department.

(2) Duty of police to enforce traffic laws. It shall be the duty of the officers of the police department or such persons as are assigned by the chief of police to enforce all street traffic laws of the city and all the state motor vehicle laws applicable to street traffic in the city.

(3) Authority of police to direct traffic. Officers of the police department or such persons as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided, however, that 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.

(4) Authority of firefighters to direct traffic. Personnel of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic at such scene or in the immediate vicinity.

(5) Report of vehicles stored for more than 30 days. (a) Whenever a motor vehicle has been stored, parked or left in a garage, or any type of storage or parking lot, for a period of more than thirty (30) consecutive days, the owner of such garage or lot shall report in writing the make, motor number, vehicle identification number and serial number of such motor vehicle to the police department. This section shall not apply where the owner of the motor vehicle so parked or stored is personally known to the owner or operator of the garage, storage or parking lot, and where such motor vehicle owner has made arrangements for parking or storing of such motor vehicle for a longer period of time than thirty (30) days.

(b) Any person who fails to submit the report required in this section within ten days after the termination of such thirty (30) day period shall forfeit all claims for storage or parking of such vehicle and shall be guilty of a misdemeanor. Each day's failure to make such report shall be deemed a separate offense.

(6) Traffic records and reports. The police department shall maintain a suitable system of filing accident reports, drivers' records, arrests, convictions for arrests or citations, and shall periodically prepare a traffic report which shall be filed with the board of commissioners containing information on traffic matters. Such reports shall include the following:

(a) The number of traffic accidents, the number of persons injured and/or fatally injured, and other pertinent traffic accident data.

(b) The number of traffic accidents investigated and other pertinent data on the safety activities of the police.

(c) The plans and recommendations of the police department for future traffic safety activities.

(7) Violators to furnish name and address. Any person charged with violating any provision of this chapter shall furnish to any police officer, on demand, his correct name and address and supply also, if required, proof of his identity. Any failure to comply with this section shall be justification for immediate arrest.

(8) Citation on complaint in lieu of arrest. When any person violates any traffic or other ordinances, law or regulation of the city in the presence of any police or peace officer of the city, or in the presence of any member of the fire department of the city who are designated special police officers of the city, it shall not be necessary for the officers to arrest the offender and have a warrant issued for the offense; but, in lieu thereof, the officer may issue a citation or complaint, leaving a copy with the offender, showing the offense charged and the time and place when such offender is to appear in court.

(9) Agreement by offender to appear. In order to prevent his arrest and the issuance of the warrant against him, the offender must sign an agreement to appear at the time and place indicated, and to waive the issuance and service of a warrant upon him.

(10) Duty of court to try case upon citation without issuance of warrant. When the offender has signed the agreement and waiver provided for in section § 15-210, it shall be the duty of the court to try the case upon the citation or complaint, without the issuance and/or service of a warrant upon the defendant, and the citation or complaint shall in all respects be deemed and treated as though it were a warrant properly served upon the defendant.

(11) Arrest when offender refuses to sign agreement to appear. If the offender refuses to sign the agreement to appear in court and to waive the issuance and service upon him of a warrant, then it shall be the duty of the officer in whose presence the offense is committed, forthwith to place the offender under arrest and take him before the proper authority, procure a warrant, serve the same upon the offender and book him as in other cases of violations, and the authority issuing the warrant shall take bail from the accused for appearance in court for trial, or in lieu thereof commit the offender to jail or as provided in section § 15-216 for traffic offenses.

(12) Failure of offender to appear after signing agreement. If the offender signs the agreement and waiver as provided in § 15-201(9) and then fails to appear for trial at the time and place designated, then the court shall immediately issue a warrant against the offender for the offense, and an additional warrant for the offense of violating the agreement to appear, and the warrant shall then be served upon the offender and the procedure followed as set out in § 15-201(10) regarding the service of warrants, booking the defendant, and taking appearance bail or committing to jail.

(13) Issuance of citation or complaint after investigation at scene of accident or place of violation. All the procedures enumerated in this division as to giving citations or complaints in lieu of making arrests and taking out warrants, shall also apply when the officer as designated in section 15-201(8), makes a personal investigation at the scene of a traffic accident, or makes a personal investigation at the place of violation, as a result of which the officer has reasonable and probable grounds to believe that the driver of any vehicle involved in the accident has violated any traffic ordinance, law or regulation of the city; or in the case of violations other than traffic accidents, the officer has reasonable and probable grounds to believe that the owner or occupant of property involved in a violation has violated any ordinance, law or regulation of the city.

(14) Failure to obey citation. (a) It shall be unlawful 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 such citation was originally issued.

(b) A written promise to appear in court may be complied with by an appearance by counsel.

(15) Deposit of chauffeur's or operator's license in lieu of bail. (a) Whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issued to him by the state department of safety or of any other state is issued a citation or arrested and charged with a violation of any city ordinance regulating traffic, except driving under the influence of an intoxicant or narcotic drug, or leaving the scene of an accident within the city, the person shall have the option of depositing his chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his appearance in court.

(b) Whenever any person deposits his chauffeur's or operator's license, as provided in this section, either the officer or the court demanding bail as described in subsection (a) of this section, shall issue the person a receipt for the license upon a form approved or provided for by the state department of safety, and thereafter the person shall be permitted to operate a motor vehicle upon the public streets and highways during the pendency of the case in which the license was deposited.

(c) If the driver fails to appear in court in answer to the charge filed against him, the clerk or judge accepting the license shall thereafter forward to the state department of safety the license of the driver deposited in lieu of bail, which license shall not be released by the state department of safety until so notified, that the charge for which such license was so deposited has been disposed of by the city.

(d) The licensee shall have his chauffeur's or operator's license in his immediate possession at all times when driving a motor vehicle and shall display it upon demand of any officer of the city except that where the licensee has previously deposited his chauffeur's or operator's license with the officer or court demanding bail, and has received a receipt from the officer or the court, the same shall serve as a substitute for the license until the specified date for court appearance of licensee or the license is otherwise returned to the licensee by the officer or court accepting the same for deposit. State law references: Similar provisions, T.C.A. § 55-50-801 et seq.

(16) Illegal cancellation of traffic citation. Any person who cancels or solicits the cancellation of any traffic citation in any manner other than as provided by law shall be guilty of a misdemeanor. State law references: Similar provisions, T.C.A. § 55-10-204.

(17) Violations. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person so convicted may, in addition to or in lieu of, at the discretion of the court, be required to attend a driver education course. (as added by Ord. #59-05, Aug. 2005, and replaced by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-202. Accidents. (1) Duty to give information and render aid. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. State law references: Similar provisions, T.C.A. § 55-10-103.

(2) Duty upon striking fixtures upon a street. The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a highway or on the premises of any shopping center, trailer park or any apartment house complex, or any other premises which are generally frequented by the public at large, shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, the

driver's name, address, and the registration number of the vehicle that the driver was driving, and shall, upon request and if available, exhibit the driver's operator's or chauffeur's license, or driver license, and shall make report of such accident when and as required in Tennessee Code Annotated, § 55-10-107. State law references: Similar provisions, T.C.A. § 55-10-105.

(3) Immediate notice to police; when driver unable to report. The driver of a vehicle involved in an accident resulting in injury or death of any person or property damage to an apparent extent of fifty dollars ($50.00) or more shall immediately, by the quickest means of communication, give notice of such accident to the police department. The requirements of this section shall apply to accidents occurring upon highways and the premises of any shopping center, trailer park or any apartment house complex, or any other premises which are generally frequented by the public at large. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Tennessee Code Annotated, § 55-10-106, and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver. Whenever the driver is physically incapable of making a written report of an accident as required in Tennessee Code Annotated. § 55-10-107, and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within twenty (20) days after learning of the accident, make such report not made by the driver. State law references: Similar provisions, T.C.A. §§ 55-10-106, 55-10-109(b), (c).

(4) Garages to report. The person in charge of any garage or repair shop, to which is brought any motor vehicle which shows evidence of having been involved in an accident of which report must be made as provided in Tennessee Code Annotated, § 55-10-107, or of having been struck by any bullet, shall report to the department within twenty-four (24) hours after such motor vehicle is received, giving the VIN number, registration number, and the name and address of the owner or operator of such vehicle. Compliance with this section shall not relieve the driver of any vehicle involved in an accident from complying with section 15-202(3). State law references: Similar provisions, T.C.A. § 55-10-113.

(5) Reports to be without prejudice; copies of reports. (a) All accident reports made by any person or by garages shall be without prejudice to the individual so reporting, and shall be for the confidential use of the state department of safety or other state agencies having use of the records for accident prevention purposes, or for the administration of the laws of this state relating to the deposit of security and proof of financial responsibility by persons driving or the owners of motor vehicles, except that the state department of safety may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies having been present at such accident.

(b) No reports or information mentioned in this section shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the state department of safety shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the state department of safety in compliance with law.

(c) A complete copy or photostat of such reports shall be furnished as soon as practicable to any party involved in an accident or owner of a vehicle so involved upon acceptable identification, or anyone authorized in writing by such parties to receive the same, upon surrender of such authorization. Upon request, such copies shall be mailed to the applicant. If any person authorized to receive a copy of the accident report is incapacitated by disability from executing an authorization or otherwise unavailable to furnish such authorization, then the chief of police shall be authorized to furnish copies as provided herein upon written request of any person demonstrating his representation of an otherwise authorized party, as attorney, insurance representative or any other bona fide interest. The chief is authorized to charge for copies of such reports in accordance with city policy, and shall designate a period of not less than two hours daily, except Saturday and Sunday, during business hours, when such reports shall be available as provided in this section. State law references: Public inspection of reports relating to accidents, Tennessee Code Annotated, § 55-10-114.

(6) Accident studies. Whenever the accidents at any particular location become numerous, the police department shall cooperate in conducting studies of such accidents and determining remedial measures. State law references: State department of safety to tabulate and analyze accident reports, T.C.A. § 55-10-115. . (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

CHAPTER 3

OPERATION OF VEHICLES[1]

15-301. State license required.
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[1]State law references
Operation of vehicles, rules of the road, T.C.A. § 55-8-101 et seq.

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15-342. Restrictions on use of certain streets by trucks and heavy-duty vehicles.
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15-344. Exercise of due care.

15-301. State license required. No person shall operate any motor vehicle on any street without having in his possession an operator's license or a chauffeur's license valid under the laws of this state, or a valid license of his state of residence. State law references: T.C.A. § 55-50-101 et seq. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-302. Duty to devote full time and attention to operating vehicle. It shall be unlawful for a driver of a vehicle to fail to devote full time to operating the vehicle when such failure, under the then existing circumstances, endangers life, limb or property. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-303. Duty to drive on right side of roadway. (1) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(b) When the right half of a roadway is closed to traffic while under construction or repair;

(3) Upon a roadway designated and signposted for one-way traffic;

(4) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon.

(2) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the righthand lane then available for traffic, or as close as practicable to the righthand 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. State law references: Similar provisions, T.C.A. § 55-8-115. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-304. Passing vehicles proceeding in opposite direction. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main-traveled portion of the roadway as nearly as possible. State law references: Similar provisions, T.C.A. § 55-8-116. (as added by Ord. #148-08, Oct. 2008)

15-305. Passing vehicle proceeding in same direction generally.

(1) Except as otherwise provided in § 15-303, 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.

(2) 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 from 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.

(3) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

(a) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within three hundred (300) feet or such distance as to create a hazard if another vehicle might approach from the opposite direction;

(b) When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing; or

(c) When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel.

(d) The foregoing limitations of subsection (c) of this section shall not apply upon a one-way roadway. State law references: Similar provisions, T.C.A. §§ 55-8-117(1), 55-8-119, 55-8-120. (as added by Ord. #148-08, Oct. 2008)

15-306. Passing vehicle proceeding in same direction on right side. (1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving

vehicles in each direction when traffic is moving in two or more substantially continuous lines in direction of travel;

(c) 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.

(2) 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. State law references: Similar provisions, T.C.A. § 55-8-118. (as added by Ord. #148-08, Oct. 2008)

15-307. <u>Passing vehicle proceeding in same direction; duty of driver of overtaken vehicle</u>. 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 and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. State law references: Similar provisions, T.C.A. § 55-8-117(2). (as added by Ord. #148-08, Oct. 2008)

15-308. <u>Driving on roadways laned for traffic</u>. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has ascertained that such movement can be made with safety.

(2) Upon a roadway which is divided into three 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.

(3) Official signs may be erected directing a 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, and drivers of vehicles shall obey the directions of every such sign.

(4) Where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five or more vehicles are formed in line, shall turn or pull off the roadway wherever sufficient area exists to do so safely, in order to permit vehicles following it to proceed. A slow-moving vehicle is one which is proceeding at a rate of speed which is ten miles per hour or more below the lawful maximum speed for that particular roadway at that time. This subsection shall not apply to funeral processions nor to school buses. State law references: Similar provisions, T.C.A. § 55-8-123. (as added by Ord. #148-08, Oct. 2008)

15-309. Driving on divided highways. Whenever any highway has been divided into two 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 righthand roadway, and no vehicle shall be driven over, across, or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection established by public authority. State law references: Similar provisions, T.C.A. § 55-8-125. (as added by Ord. #148-08, Oct. 2008)

15-310. Entering or leaving controlled access roadway. No person shall drive a vehicle onto or from any controlled access roadway except at such entrances and exits as are established by the city.
State law references: Similar provisions, T.C.A. § 55-8-126. (as added by Ord. #148-08, Oct. 2008)

15-311. Driving within sidewalk area. The operator of a motor vehicle shall not drive within any sidewalk area except in crossing such in a traverse manner at a permanent or temporary driveway. (as added by Ord. #148-08, Oct. 2008)

15-312. Obstructing intersection or crosswalk. 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 to proceed. (as added by Ord. #148-08, Oct. 2008)

15-313. Following too closely. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street. State law references: Similar provisions, T.C.A. § 55-8-124(a). (as added by Ord. #148-08, Oct. 2008)

15-314. General speed restrictions. The speed limits for all vehicles traveling streets/roads in the city be and they are hereby adopted as follows, to-wit:

Local roads	25 miles per hour
Collector roads	30 miles per hour
Arterial roads	35 to 55 miles per hour

The appropriate speed limits for current streets/roads in the city are enumerated in detail in Exhibit "A."[1] (as added by Ord. #148-08, Oct. 2008, and replaced by Ord. #174-10, Oct. 2010)

15-315. Speed limit in school zones. No vehicle shall be driven at a greater rate of speed than fifteen (15) miles per hour on that portion of any street which has been designated as a school zone by official signs, during any time when school children are on the streets or sidewalks within such school zone, either en route to or returning from school or while school safety patrols or police officers are on duty. Such school zones shall be confined to such portions of the streets adjacent to school grounds, or for a distance not to exceed 750 feet beyond the boundaries of such grounds, or as designated by official signs. State law references: Speed limits and authority of city to establish speed zones, T.C.A.§§ 55-8-152, 55-8-153. (as added by Ord. #148-08, Oct. 2008)

15-316. Special speed regulations. (1) No person shall drive a motor vehicle upon any street at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

(2) No person shall operate any motor-driven cycle at any time at a speed greater than thirty-five (35) miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred (300) feet ahead.

(3) No person shall drive any vehicle equipped with solid rubber or cushion tires at a speed greater than a maximum of ten (10) miles per hour. (as added by Ord. #148-08, Oct. 2008)

15-317. Duty to drive at safe speed, maintain lookout and keep vehicle under control. Notwithstanding any speed limit or zone in effect at the time, or right-of way rules that may be applicable, every driver shall:

(1) Operate his vehicle at a safe speed.

(2) Maintain a safe lookout.

(3) Use due care to keep his vehicle under control. (as added by Ord. #148-08, Oct. 2008)

15-318. Driving when view or control obstructed. (1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding four, 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.

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[1]Exhibit "A" (and any amendments) giving detailed information regarding speed limits is available in the recorder's office.

(2) 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 the driver's control over the driving mechanism of the vehicle. (as added by Ord. #148-08, Oct. 2008)

15-319. Lap driving. No operator of a vehicle shall have in his lap any other person, adult or minor, nor shall the operator be seated in the lap of any person while the vehicle is in motion. (as added by Ord. #148-08, Oct. 2008)

15-320. Vehicle approaching or entering intersection. (1) 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 highway.

(2) When two (2) vehicles enter an intersection from different 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.

(3) The right-of-way rules declared in subsections (1) and (2) of this section are modified at through highways and otherwise as stated in this chapter. State law references: Similar provisions, T.C.A. § 55-8-128. (as added by Ord. #148-08, Oct. 2008)

15-321. Yield intersections. (1) The driver of a vehicle who is faced with a yield sign at the entrance to a through street or other public roadway is not necessarily required to stop, but is required to exercise caution in entering the street or other roadway and to yield the right-of-way to other vehicles which have entered the intersection from the street or other roadway, or which are approaching so closely on the street or other roadway as to constitute an immediate hazard, and the driver having so yielded may proceed when the way is clear.

(2) Where there is provided more than one lane for vehicular traffic entering a through street or other public roadway, if one or more lanes at such entrance is designated a yield lane by an appropriate marker, this section shall control the movement of traffic in any lane so marked with a yield sign, even though traffic in other lanes may be controlled by an electrical signal device or other signs, signals, markings or controls. State law references: Similar provisions, T.C.A. § 55-8-130(c).(as added by Ord. #148-08, Oct. 2008)

15-322. Stop intersections. (1) The driver of a vehicle shall stop as required by Tennessee Code Annotated, § 55-8-149 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, but the driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway.

(2) The driver of a vehicle shall likewise stop in obedience to a stop sign as required in this section at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

(3) Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection, or if there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic control signal. State law references: Similar provisions, T.C.A. §§ 55-8-130(a), (b), 55-8-149(c). (as added by Ord. #148-08, Oct. 2008)

15-323. <u>One-way streets</u>. The board of commissioners is hereby authorized to designate, by signs or markers, certain streets and alleys for traffic in only one direction where the conditions of traffic, width of street and other conditions make such restrictions necessary. Whenever a street or alley has been so designated as one-way, no person shall drive a vehicle upon such a street in any direction other than that indicated by signs. (as added by Ord. #148-08, Oct. 2008)

15-324. <u>Turning movements generally</u>. (1) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in <u>Tennessee Code Annotated</u>, § 55-8-140, 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 provided in <u>Tennessee Code Annotated</u>,§§ 55-8-143 and 55-8-144 if any other traffic may be affected by such movement.

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

(a) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the righthand 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, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline 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.

(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 lefthand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the lefthand lane lawfully available to traffic moving in such direction upon the roadway being entered.

(d) Two-way left turn lanes. Where a special lane for making left turns by drivers proceeding in opposite directions has been established:

(i) A left turn shall not be made from any other lane unless a vehicle cannot safely enter the turn lane.

(ii) A vehicle shall not be driven in the left turn lane except when preparing for or making a left turn from or into the roadway.

(iii) A vehicle shall not use the left turn lane solely for the purpose of passing another vehicle.

(iv) A vehicle shall not enter a left turn lane more than a safe distance from the point of the intended turn.

(v) When any vehicle enters the turn lane, no other vehicle proceeding in an opposite direction shall enter that turn lane if such entrance would prohibit the vehicle already in the lane from making the intended turn.

(vi) When vehicles enter the turn lane proceeding in opposite directions, the first vehicle to enter the lane shall have the right-of-way.

(3) The driver of any truck, bus or any large vehicle which cannot comply with the provisions of subsection (2) of this section due to the size of the vehicle may use such additional portions of the street or roadway as may be necessary for a right turn; provided however, that the driver of such vehicle, before making such turn, shall first determine that this movement may be made in safety. State law references: Similar provisions, T.C.A. §§ 55-8-140, 55-8-142(a). (as added by Ord. #148-08, Oct. 2008)

15-325. <u>Markers, buttons or signs regulating manner of making turns</u>. Markers, buttons or signs may be placed within or adjacent to intersections by the city and thereby require and direct that a different course from that specified in § 15-341 be traveled by vehicles turning at an intersection, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such

markers, buttons or signs. State law references: Similar provisions, T.C.A. § 55-8-140(4). (as added by Ord. #148-08, Oct. 2008)

15-326. Prohibited turns. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (as added by Ord. #148-08, Oct. 2008)

15-327. Limitations on turning around. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the city, unless the opposing lanes are divided by a median at least twenty (20) feet wide. (as added by Ord. #148-08, Oct. 2008)

15-328. Signals for turns. (1) Every driver who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

(2) The signal required by this section shall be given by means of the hand and arm, or by some mechanical or electrical device approved by the department of safety, in the manner specified in this subsection. Whenever the signal is given by means of the hand and arm, the driver shall indicate the intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:

(a) For left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder;

(b) For right turn, or pull to the right, the arm shall be extended upward; and

(c) For slowing down or to stop, the arm shall be extended downward.

(3) Such signals shall be given continuously for a distance of at least 50 feet before stopping, turning, partly turning, or materially altering the course of the vehicle.

(4) Drivers having once given a hand, electrical or mechanical device signal, must continue the course thus indicated, unless they alter the original signal and take care that drivers of vehicles and pedestrians have seen and are aware of the change.

(5) Drivers receiving a signal from another driver shall keep their vehicles under complete control and shall be able to avoid an accident resulting from a misunderstanding of such signal.

(6) Drivers of vehicles, standing or stopped at the curb or edge before moving such vehicles, shall give signals of their intention to move into traffic, as provided in this section, before turning in the direction the vehicle shall

proceed from the curb. State law references: Similar provisions, T.C.A. § 55-8-143(a)--(c). (as added by Ord. #148-08, Oct. 2008)

15-329. Right-of-way when 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, but the driver, having so yielded and having given a signal when and as required by this chapter may make such 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. State law references: Similar provisions, T.C.A. § 55-8-129. (as added by Ord. #148-08, Oct. 2008)

15-330. Procedure upon approach of authorized emergency vehicle. (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the applicable laws of the 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 righthand 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.

(2) This section shall not operate to relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the street. State law reference: Similar provisions, T.C.A. § 55-8-132. (as added by Ord. #148-08, Oct. 2008)

15-331. Pulling away from curb. No vehicle shall be pulled out or backed from a curb into traffic until such movement may be made without danger to persons or property, and all vehicles proceeding in a street shall have the right-of-way over all vehicles pulling from a curb into traffic. (as added by Ord. #148-08, Oct. 2008)

15-332. Emerging from alley, driveway or building. The driver of a vehicle entering into a street, either from an alley, from a private road or driveway of a building, shall yield the right-of-way to all pedestrians on a sidewalk crossing such alley or driveway and to all vehicles approaching on such street, and it shall be the duty of the driver of every vehicle so entering a street to bring his vehicle to a stop and not enter therein until same may be done with safety and without danger to others using the street, and he shall proceed with caution. The driver of any vehicle leaving a street to enter an alley, private driveway or building, shall likewise yield the right-of-way to all pedestrians on any sidewalk crossing such alley or driveway, and when such driver is making

a left turn into any alley, private driveway, or a building, such driver shall yield the right-of-way to all vehicles approaching from the opposite direction. State law references: Similar provisions, T.C.A. § 55-8-150. (as added by Ord. #148-08, Oct. 2008)

15-333. Duty to stop at railroad crossing upon approach of train.

(1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the following circumstances, 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. Such requirements shall apply when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

(b) A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train;

(c) A railroad train approaching within approximately one thousand five hundred (1,500) feet of the street crossing emits a signal audible from such distance, or when such railroad train, by reason of its speed or nearness to such crossing is an immediate hazard;

(d) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(2) 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. State law reference: Similar provisions, T.C.A. § 55-8-145. (as added by Ord. #148-08, Oct. 2008)

15-334. Limitations on backing. The driver of a vehicle shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic. State law references: Similar provisions, T.C.A. § 55-8-163. (as added by Ord. #148-08, Oct. 2008)

15-335. Following fire apparatus or driving near fire. The driver of a 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 such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. State law references: Similar provisions, T.C.A. § 55-8-168. (as added by Ord. #148-08, Oct. 2008)

15-336. Driving over fire hose. No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command. State law references: similar provisions, T.C.A. § 55-8-169. (as added by Ord. #148-08, Oct. 2008)

15-337. Driving in processions. (1) Each driver in a funeral or an authorized procession shall drive as near the righthand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

(2) Each driver of a vehicle in a funeral procession shall cause the lights on his vehicle to be lighted during the entire procession as a means of identifying the vehicles in the procession.

(3) A funeral or an authorized procession shall be permitted to proceed through a red light at an intersection when a police officer in charge of the intersection or procession so directs and the procession shall continue moving and cross traffic shall stop until the entire procession has passed such signal. State law references: Funeral processions, T.C.A. § 55-8-183. (as added by Ord. #148-08, Oct. 2008)

15-338. Driving through processions. No driver of a vehicle shall drive between the vehicles comprising a funeral or an authorized procession while they are in motion and when such vehicles are conspicuously designated; provided, however, that this section shall not apply to emergency vehicles answering emergency calls. State law references: Similar provisions, T.C.A. § 55-8-183(7). (as added by Ord. #148-08, Oct. 2008)

15-339. Overtaking and passing church bus; markings; discharging passengers. (1) All motor vehicles used in transporting school children to and from school in this state are required to be distinctly marked "School Bus" on the front and rear thereof in letters of not less than six inches in height, and so plainly written or printed and so arranged as to be legible to persons approaching such school bus, whether traveling in the same or opposite direction.

(2) The driver of a vehicle upon a highway 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.

(3) For the purpose of subsection (1) of this section, the term "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(4) Except as otherwise provided by subsections (1)--(3) of this section, the school bus driver is required to stop such school bus on the righthand side of such road or highway, and the driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated, until all school children who should be discharged from the bus have been so discharged and until all children whose destination causes them to cross the road or highway at that place have negotiated such crossing.

(5) The driver of a vehicle on a highway upon meeting or overtaking from either direction any church bus which has stopped on the highway for the

purpose of receiving or discharging passengers shall stop the vehicle before reaching such church bus, and the driver shall not proceed until such church bus resumes motion or is signaled by the church bus driver to proceed or the visual signals on the bus are no longer actuated. The provisions of this subsection shall not apply unless the church bus has the same type of safety equipment indicating the bus has stopped as is required for school buses. All motor vehicles used in transporting passengers to and from churches in this city are required to be distinctly marked "Church Bus" on the front and rear thereof in letters of not less than six inches in height and so plainly written or printed and so arranged as to be legible to persons approaching such church bus, whether traveling in the same or the opposite direction.

(6) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a church bus which is on a different roadway or when upon a controlled access highway and the church 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. For the purpose of this subsection (6), the term "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(7) Except as otherwise provided by this section, a church bus driver is required to stop such church bus on the righthand side of the road or highway, and the driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated until all passengers who should be discharged from the bus have been so discharged and until all passengers whose destination causes them to cross the road or highway at that place have negotiated such crossing.

(8) The driver of a vehicle on a highway upon meeting or overtaking from either direction any youth bus which has stopped on the highway for the purpose of receiving or discharging passengers shall stop the vehicle before reaching such youth bus, and the driver shall not proceed until such youth bus resumes motion or is signaled by the youth bus driver to proceed or the visual signals on the bus are no longer actuated. The provisions of this subsection shall not apply unless the youth bus has the same type of safety equipment indicating the bus has stopped as is required for school buses. All motor vehicles owned by corporations or organizations used in transporting child passengers to and from child care centers in this city or to and from the activities of religious, charitable, scientific, educational, youth service or athletic institutions or organizations are required to be distinctly marked "Youth Bus" on the front and rear thereof in letters of not less than six inches in height and so plainly written or printed and so arranged as to be legible to persons approaching such youth bus, whether traveling in the same or the opposite direction. The driver of a vehicle upon a highway with separate roadways needs not stop upon meeting or passing a youth bus which is on a different roadway or when upon a controlled access highway and the youth 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. For the purpose of this subsection (8), the term "separate

roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic. Except as otherwise provided by this subsection, the youth bus driver is required to stop such youth bus on the righthand side of the road or highway, and the driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated until all passengers who should be discharged from the bus have been so discharged and until all passengers whose destination causes them to cross the road or highway at that place have negotiated such crossing. For purposes of this subsection, a youth bus means a motor vehicle designed for carrying not less than 15 passengers and used for the transportation of persons. State law references: Similar provisions, T.C.A. § 55-8-151. (as added by Ord. #148-08, Oct. 2008)

15-340. Striking parked vehicles or fixed objects. It shall be unlawful for the driver of any vehicle while operating such vehicle on a public street or alley to drive such vehicle into, against or upon a parked vehicle or fixed object thereon. (as added by Ord. #148-08, Oct. 2008)

15-341. Operating vehicle for advertising purposes. No person shall operate on any street any vehicle for the primary purpose of advertising unless authorized by the chief of police. (as added by Ord. #148-08, Oct. 2008)

15-342. Restrictions on use of certain streets by trucks and heavy-duty vehicles. (1) It shall be unlawful for any person to operate a motor vehicle, having a rated gross weight of more than fifteen thousand (15,000) pounds over or upon any street, alley or thoroughfare within the corporate limits of the city unless the street, alley or thoroughfare is a part of state or federal highway system.

(2) This section shall not apply to motor vehicles making deliveries within the corporate limits of the city. State ;aw references: Size, weight and load, T.C.A. § 55-7-101 et seq. (as added by Ord. #148-08, Oct. 2008)

15-343. Truck routes. The board of commissioners is hereby authorized to designate, by signs or markers, certain streets for traffic by trucks entering, passing through or departing from the city. Deviation from such truck routes shall be made only for pickups of shipments destined for points out of the city, delivery of shipments consigned from out of the city to an address within the city off a truck route, or for bona fide service or repair stops, in any of which events departure from and return to the designated truck route shall be by the most direct route; provided, however, that nothing in this section shall be construed as altering or amending § 15-341. (as added by Ord. #148-08, Oct. 2008)

15-344. Exercise of due care. Notwithstanding the foregoing sections, every driver of a vehicle 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 upon a roadway. State law references: Similar provisions, T.C.A. § 55-8-136. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 4

TRAFFIC CONTROL DEVICES[1]

SECTION

15-401. Installation and maintenance generally.
15-402. Uniformity; when official.
15-403. Designation of crosswalks.
15-404. Establishment of safety zones.
15-405. Marking traffic lanes.
15-406. Controlled-access roadways.
15-407. Obedience to devices.
15-408. When signs required.
15-409. Traffic control signals.
15-410. Flashing signals.
15-411. Pedestrian control signal.
15-412. Unauthorized signs, signals or devices.
15-413. Altering, injuring or removal of devices.

15-401. Installation and maintenance generally. The city shall place and maintain traffic control signs, signals and devices when and as required under this article and other traffic ordinances of the city to make effective the provisions of this chapter and other ordinances, and may place and maintain such additional traffic control devices as deemed necessary to regulate traffic under this chapter, other traffic ordinances of the city or under state law, or to guide or warn traffic. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-402. Uniformity; when official. All traffic control signs, signals and devices required by this chapter for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of state law or this article shall be official traffic control devices. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-403. Designation of crosswalks. The city shall designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as may be deemed

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[1]State law references
Traffic control devices generally, T.C.A. § 55-8-109 et seq.

necessary. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-404. Establishment of safety zones. The city shall establish safety zones of such kind and character and at such places as may be deemed necessary for the protection of pedestrians. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

5-405. Marking traffic lanes. The city shall mark traffic lanes upon the roadway of any street where a regular alignment of traffic is necessary as designated by the city. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-406. Controlled-access roadways. The city may, with respect to any controlled-access roadway under the city's jurisdiction, prohibit the use of any such roadway by pedestrians, bicycles or other non-motorized traffic or by any person operating a motor-driven cycle. Such prohibition shall be indicated by appropriate signs erected by the city and, when so erected, no person shall disobey the restrictions stated on such signs. State law references: Authority for this section, T.C.A. § 55-8-127. (as added by Ord. #148-08, Oct. 2008)

15-407. Obedience to devices. The driver of any vehicle, or any pedestrian, shall obey the instructions of any official traffic control device applicable thereto placed in accordance with this article and other traffic ordinances of the city, unless otherwise directed by a police officer, subject to any specific exceptions granted by this chapter or other ordinances. State law references: Similar provisions, T.C.A. § 55-8-109(a). (as added by Ord. #148-08, Oct. 2008)

15-408. When signs required. No provision of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. State law references: Similar provisions, T.C.A. § 55-8-109(b). (as added by Ord. #148-08, Oct. 2008)

15-409. Traffic control signals. (1) Whenever traffic is controlled by traffic control signals exhibiting the words "go," "caution" or "stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and the terms and lights shall indicate and apply to drivers or vehicles and pedestrians as follows:

(a) Green alone or "go".

(i) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(ii) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) Yellow alone or "caution," when shown following the green or "go" signal.

(i) Vehicular traffic facing the signal is thereby warned that the red or "stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or cross the intersection when the red or "stop" signal is exhibited.

(ii) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(c) Red alone or "stop".

(i) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "go" is shown alone. A right turn on a red signal shall be permitted at all intersections within the state; provided, however, that the prospective turning car shall come to a full and complete stop before turning and that the turning car shall yield the right-of-way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, such turn will not endanger other traffic lawfully using the intersection. A right turn on red shall be permitted at all intersections, except that are clearly marked by a "no turns on red" sign, which may be erected by the responsible municipal or county governments at intersections which they decide require no right turns on red in the interest of traffic safety.

(ii) No pedestrian facing such signal shall enter the roadway unless such entry can be made safely and without interfering with any vehicular traffic.

(iii) A left turn on a red or stop signal shall be permitted at all intersections within the state where a one-way street intersects with another one-way street moving in the same direction into which the left turn would be made from the original one-way street. Before making such a turn, the prospective turning car shall come to a full and complete stop and shall yield the right-of-way to pedestrians and cross traffic traveling in

accordance with the traffic signal so as not to endanger traffic lawfully using the intersection. A left turn on red shall be permitted at any applicable intersection except that clearly marked by a "no turn on red" sign, which may be erected by the responsible municipal or county governments at intersections which such governments decide require no left turns on red in the interest of traffic safety.

(c) Red with green arrow.

(i) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(ii) No pedestrian facing such signal shall enter the roadway unless such entry can be made safely and without interfering with any vehicular traffic.

(2) If 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. State law references: Similar provisions, T.C.A. § 55-8-110. (as added by Ord. #148-08, Oct. 2008)

15-410. Flashing signals. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(1) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. State law references: Similar provisions, T.C.A. § 55-8-112. (as added by Ord. #148-08, Oct. 2008)

15-411. Pedestrian control signal. (1) Whenever special pedestrian control signals exhibiting the words "walk," "wait" or "don't walk" are in place, such signals shall indicate 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.

(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 island while the wait signal is showing.

(2) When in the sequence of "walk," "wait" or "don't walk" signals, during an interval in which neither signal is illuminated, no pedestrian shall leave the curb and start crossing the roadway. When all motor vehicle traffic is stopped and a "walk" signal is displayed, pedestrians may cross the intersection diagonally. State law references: Similar provisions, T.C.A. § 55-8-111. (as added by Ord. #148-08, Oct. 2008)

15-412. Unauthorized signs, signals or devices. (1) No person shall place, maintain or display upon or in view of any street 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 parking or 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. No person shall place or maintain, nor shall any public authority permit, upon any street any traffic sign or signal bearing thereon any commercial advertising. This section shall not be deemed to prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(2) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the city is hereby empowered to remove the same or cause it to be removed without notice. State law references: Similar provisions, T.C.A. § 55-8-113. (as added by Ord. #148-08, Oct. 2008)

15-413. Altering, injuring or removal of devices. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal or any inscription, shield or insignia, or any other part of such device, sign or signal. State law references: Similar provisions, T.C.A. § 55-8-114. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 5

STOPPING, STANDING AND PARKING[1]

SECTION

15-501. Prohibited in specific places; exceptions for disabled veterans and handicapped persons.
15-502. Prohibited for certain purposes.
15-503. Obstructing traffic.
15-504. Unattended vehicles.
15-505. Stopping with left side to curb.
15-506. No parking zones.
15-507. Angle parking.
15-508. Parking in alleys.
15-509. Opening door of parked or standing vehicle.
15-510. Loading and unloading zones generally.
15-511. Use of loading and unloading zones.
15-512. Bus stops.
15-513. Taxicab stands.
15-514. Vehicle owner not to permit parking violations.
15-515. Regulation of parking on city property.
15-516. Attendants at off-street parking facilities.
15-517. Duty of police relative to illegally parked vehicles; ticket for parking violations.
15-518. Presumption in prosecuting for parking violations.
15-519. Parking vehicles on city streets; restrictions.
15-520. Parking of non-motorized equipment or vehicles on city streets.
15-521. Storage of property on public streets and rights-of-way.

15-501. Prohibited in specific places; exceptions for disabled veterans and handicapped persons. (1) No person shall stop, stand or park a vehicle, except 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:

(a) On a sidewalk, provided that a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of pedestrian or other traffic, or such parking is not prohibited by ordinance.

(b) In front of a public or private driveway.

(c) Within an intersection.

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[1]State law references

Stopping, standing and parking, T.C.A. § 55-8-158 et seq.

(d) Within 15 feet of a fire hydrant.

(d) On a crosswalk.

(e) Within twenty (20) feet of a crosswalk at an intersection.

(f) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.

(g) 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 the department of transportation or local traffic authority indicates a different length by signs or markings.

(h) Within fifty (50) feet of the nearest rail of a railroad crossing.

(i) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance when properly signposted.

(j) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.

(k) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

(l) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

(m) At any place where official signs prohibit stopping.

(2) A solid waste vehicle while on the paved or improved main traveled portion of a road, street or highway in such manner and to such extent as is necessary for the sole purpose of collecting municipal solid waste, as defined by Tennessee Code Annotated,§ 68-211-802; provided, however, that such vehicle shall maintain flashing hazard lights at all times while it is stopping or standing; provided further, that the vehicle is stopped so that a clear view of such stopped vehicle shall be available from a distance of two hundred (200) feet in either direction upon the highway. The provisions of this subsection do not preclude any claimant from pursuing such claimant's common law claim for recovery pursuant to common law negligence. State law references: Similar provisions, T.C.A. § 55-8-160. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-502. Prohibited for certain purposes. No person shall stand or park a vehicle upon any roadway for the principal purpose of:

(1) Displaying it for sale or rent; washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;

(2) Advertising. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-503. Obstructing traffic. (1) No driver shall stop, stand or park a vehicle abreast of another vehicle parallel to the curb or in any other manner

so as to interrupt or interfere with the passage of other vehicles on any street except in the case of public emergency or when directed by a police officer.

(2) It shall be unlawful to leave any vehicle standing in any street when such vehicle constitutes a hazard to public safety or an obstruction to traffic. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-504. Unattended vehicles. (1) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the street.

(2) The portion of this section pertaining to the locking of or removal of keys from the vehicle shall not apply when a vehicle is parked upon an off-street parking facility where an attendant is present.

(3) It shall be the duty of every person driving or in charge of any vehicle, when parking or stopping such vehicle, to secure such vehicle so that it shall not roll unattended into or upon any public street or alley. State law references: Similar provisions, T.C.A. § 55-8-162. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-505. Stopping with left side to curb. No vehicle shall stop with its left side to the curb; provided, however, that this section shall not apply to one-way streets when such stopping is not prohibited. State law references: Authority to permit parking on left side of one-way streets, T.C.A.§ 55-8-161(b). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-506. No parking zones. (1) The city may designate spaces upon either side of any street in the city where vehicles shall not be parked at any time or to designate spaces where parking may be limited to certain times or places, as indicated by the placing of official signs. The city shall locate these spaces with regard to public convenience and to meet the conditions of traffic. It shall be unlawful for any person to park any vehicle in violation of any sign or marking erected or maintained under this section.

(2) The fire chief is hereby authorized to designate fire lanes within shopping centers, shopping malls, apartment, condominium or other multi-dwelling or high density complexes to ensure free access of firefighting equipment to the premises, and to cause such fire lanes to be adequately marked to prohibit parking or other obstruction thereof. It shall be unlawful for any person to park any vehicle in violation of any sign or marking erected or maintained under this section. Any vehicles in violation of this section shall be forthwith impounded by direction of the fire chief or deputy or any police officer. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-507. Angle parking. The city shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets. Upon those streets which have been 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. State law references: Authority to permit angle parking, T.C.A. § 55-8-161(c). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-508. Parking in alleys. It shall be unlawful for any person to park any vehicle in any alley or to place or permit any obstruction in the same at any time; provided, however, that this section shall not apply to trucks and wagons that are actually engaged in loading or unloading; provided further, that no such vehicle shall be left standing so as to obstruct ingress and egress to and from an alley. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-509. Opening door of parked or standing vehicle. Whenever any vehicle is standing or parked upon or beside a roadway, no person shall open any door of such vehicle on that side of the vehicle nearest the flow of traffic on such street, whenever the opening of such door shall constitute a hazard or obstruction to vehicles moving on the street in a lawful manner. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-510. Loading and unloading zones generally. (1) Any person desiring to have a loading or unloading zone established on any street or public way shall first obtain the written consent of the owners of the property abutting on the street where such loading and unloading zone is sought to be placed, or if the applicant for such loading and unloading zone is the abutting property owner, then his application shall so state, and shall then make application to the city for the establishment of such loading and unloading zone. If, in the judgment of the city, the establishment of such loading and unloading zone will serve a substantial public need and will not interfere with nor present a hazard to the traffic on the street where such loading and unloading zone is sought to be established, the city shall, upon payment of the fees prescribed in this section, issue such permit and erect the necessary standard official signs and markings to properly designate such loading and unloading zone. The permit shall not be effective at any location where parking is or may hereafter be prohibited, and shall be inoperative during any time parking is or hereafter may be prohibited, either permanently or temporarily. The permit shall be subject to annual renewal, and may be revoked at any time the public welfare and safety requires the use of such street space for moving traffic, subject to refund to the applicant of the pro rata portion of the annual fee paid.

(2) Any person requesting the establishment of a loading and unloading zone shall pay an installation fee, based on reimbursement to the city

of the cost of investigating the application and installing, inspecting and maintaining the signs and markings, such installation fee to cover the first year's maintenance. Upon each annual renewal of the permit, the person requesting the same shall pay an annual maintenance fee, based on reimbursement to the city of the cost of inspecting and maintaining the signs and markings. Where the loading and unloading zone is installed in a parking meter space, the installation and annual renewal fee shall also include reimbursement to the city for loss of revenue from meters displaced by such loading and unloading zone. The installation and annual maintenance fees shall be established and reviewed annually by the city and shall become effective when filed with the city clerk, for public inspection, and shall be applied on a uniform basis.

(3) All applications under this section shall be filed with and fees paid through the permit section of the city. No permits shall be issued or renewed nor shall any zone be established or maintained unless the annual fee has been paid to the city. It shall be unlawful for any person to remove, alter or deface any sign or other marking so installed, or to place any other or additional signs, or markings on the public right-of-way. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-511. Use of loading and unloading zones. When a loading and unloading zone has been established in accord with § 15-510, it shall be unlawful for any person to park or knowingly permit any vehicle under his control to be parked by others in such loading or unloading zone, except while actually loading or unloading freight from vehicles or discharging or picking up passengers. (as added by Ord. #148-08, Oct. 2008)

15-512. Bus stops. (1) The operator of a bus shall not stop, stand or park such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage, other than at a coach stop designated by the posting of official signs, except in case of an emergency.

(2) The operator of a bus shall enter a coach stop 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 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.

(3) No person shall stop, stand or park a vehicle other than a bus in a coach stop, when any such stop or stand has been officially designated and appropriately signed, except that 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 waiting to enter or about to enter such stop. (as added by Ord. #148-08, Oct. 2008)

15-513. Taxicab stands. (1) Any person desiring to occupy, for his exclusive use, any portion of the street as a taxicab stand shall first obtain the consent of the owner of the property abutting upon the street where the taxicab stand is desired to be located and shall then make application to the city for the granting of a permit to so occupy such space. If such occupancy will not interfere with or present a hazard to the traffic on the street where the taxicab stand is proposed to be located, the city shall grant such application, and fix an annual fee to be paid by the applicant for such occupancy, which shall include the cost of the erection of the necessary signs and markings and the maintenance thereof. No such permit shall be issued until the fee has been paid to the city. The city shall place the necessary signs and markings upon such application's approval.

(2) 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 in this section. This subsection 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.

(3) No person other than the owner of a taxicab stand permit, his agent, servants or employees, shall occupy a taxicab stand so designated by the city except that 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 taxicab waiting to enter or about to enter such stand. (as added by Ord. #148-08, Oct. 2008)

15-514. Vehicle owner not to permit parking violations. It shall be unlawful for any person to cause, allow or permit any vehicle registered in the name of such person to be parked in such manner as to violate the terms and provisions of this article. (as added by Ord. #148-08, Oct. 2008)

15-515. Regulation of parking on city property. The city shall regulate or prohibit the parking of vehicles upon any property owned by the city. (as added by Ord. #148-08, Oct. 2008)

15-516. Attendants at off-street parking facilities. Owners and operators of off-street parking facilities are hereby required to keep attendants on duty at all times when automobiles or other motor vehicles are stored thereon with the lock keys therein or in the custody of the owners or proprietors; provided however, that this section shall not apply to off-street parking facilities where the owners or operators of automobiles or motor vehicles parked thereon lock their own cars and retain the keys. (as added by Ord. #148-08, Oct. 2008)

15-517. Duty of police relative to illegally parked vehicles; ticket for parking violations. (1) Whenever any motor vehicle without a driver is

found parked or stopped in violation of any of the restrictions imposed by this article or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation ticket, on a form provided by the city for the driver to answer to the charge against him within the time, date and at the place specified in the ticket.

(2) 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 ticket affixed to such motor vehicle, the office of the court clerk shall send to the owner of the motor vehicle to which the traffic citation ticket was affixed a notice informing him of the violation and warning him that if such notice is disregarded for a period of five days, a warrant of arrest will be issued. (as added by Ord. #148-08, Oct. 2008)

15-518. Presumption in prosecuting for parking violations. In any prosecution charging a violation of any provision of this chapter of other law or regulation governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law of regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. (as added by Ord. #148-08, Oct. 2008)

15-519. Parking vehicles on city streets; restrictions. (1) No truck or bus or recreational vehicle having declared a maximum gross weight, including vehicle and load of more than eight thousand (8,000) pounds, shall be parked or left unattended on any public street for a period of time longer than two (2) hours consecutively, except while being actively loaded or unloaded, or while such a vehicle is being used in connection with any work or service being performed within the immediate area.

(2) No vehicle of any type being used for the purpose of transporting any volatile, toxic, gaseous, explosive or flammable material shall be parked or left unattended on any public street or public right-of-way for any period of time, except while being actively loaded or unloaded, or while such vehicle is being used in connection with any work or service being performed within the immediate area.

(3) Each day on which such violation continues shall constitute a separate offense. (as added by Ord. #148-08, Oct. 2008)

15-520. Parking of non-motorized equipment or vehicles on city streets. (1) It shall be unlawful for any person to park, or knowingly permit to be parked, any non-motorized vehicle or equipment such as, but not limited

to, campers, trailers, boats or other recreational type equipment on any public street in the city for a period of time longer than eight (8) hours consecutively.

(2) Each non-motorized vehicles or equipment may be removed by the police department.

(3) Each day on which such violation continues shall constitute a separate offense. (as added by Ord. #148-08, Oct. 2008)

15-521. Storage of property on public streets and rights-of-way.

(1) It shall be unlawful for any person to use a public street or public right-of-way along the street, for the purpose of storing any item, except where otherwise lawfully provided.

(2) Storage is defined for the purposes of this section as the placing of any property in the public street or right-of-way in such a manner as to preclude the use of the street or right-of-way by the general public or the normal flow of vehicular or pedestrian traffic. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 6

ABANDONED, JUNKED OR WRECKED VEHICLES

SECTION

15-601. Definitions.
15-601. Declared a public nuisance.
15-603. Storage on public or private property.
15-604. Notice to remove.
15-605. Failure to remove declared misdemeanor.
15-606. Abatement and removal by city.
15-607. Tow-in ticket.
15-608. Removal and storage.
15-609. Title search by police department.
15-610. Sale at public auction.
15-611. Return of vehicle to owner.
15-612. Storage and sale of valuable property found in abandoned vehicles.
15-613. Storage agent; position created; appointment; term.
15-614. Qualifications of storage agent.

15-601. Definitions. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) "Abandoned vehicle" means any motor vehicle to which the last registered owner of record has relinquished all further dominion and control and/or any vehicle which is wrecked or partially dismantled or inoperable for a period of ten days. There shall be a presumption that the last registered owner has abandoned such vehicle, regardless of whether the physical possession of such vehicle remains in the technical custody of such owner, if it has remained inoperable or partially dismantled, or if the owner has relinquished dominion or control of such vehicle for ten days.

(2) "Property of the city " means any real property within the city which is not an improved street or highway.

(3) "Vehicle" means a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides, and transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-601. Declared a public nuisance. The accumulation and storage of abandoned, wrecked, junked, partially dismantled or inoperable motor vehicles on public and private property is hereby found to create an unsightly

condition upon the property tending to reduce the value thereof, to invite plundering, to create fire hazards, and to constitute an attractive nuisance creating a hazard to the health and safety of minors. Such accumulation and storage of vehicles is further found to promote urban blight and deterioration in the community; to violate the zoning regulations of the city in many instances, particularly where such vehicles are maintained in the required yard areas of residential property; and that such wrecked, junked, abandoned or partially dismantled or inoperable motor vehicles are in the nature of rubbish, litter and unsightly debris in violation of health and sanitation laws. Therefore, the accumulation and storage of such vehicles on public and private property, except as expressly permitted in this division, is hereby declared to constitute a public nuisance which may be abated as such, which remedy shall be in addition to any other remedy provided in this code. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-603. Storage on public or private property. No person shall park, store, leave or permit the parking, storing or leaving of any motor vehicle which is in a rusted, wrecked, junked, partially dismantled, inoperable or abandoned condition upon any property within the city for a period in excess of ten (10) days unless such vehicle is completely enclosed within a building or unless such vehicle is so stored or parked on the property in connection with a duly licensed business or commercial enterprise, operated and conducted pursuant to law, when such parking or storing of vehicles is necessary to the operation of the business or commercial enterprise. Except for vehicles located on property of a duly licensed business a motor vehicle that does not have a current state registration license tag attached to the vehicle is an inoperable vehicle, and any motor vehicle that has a current state registration license tag but is mechanically incapable of being driven due to deflated tires, inoperative brakes, faulty or missing battery, frozen engine, defective transmission, broken starter, etc., is an inoperable vehicle and subject to the provisions of this section. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-604. Notice to remove. Whenever it shall appear that a violation of a provision of this division exists, the police chief shall give, or cause to be given, notice to the registered owner of any motor vehicle which is in violation of this division, and he shall give such notice to the owner or person in lawful possession or control of the property upon which such motor vehicle is located, advising that the motor vehicle violates the provisions of this division and directing that the motor vehicle be moved to a place of lawful storage within seventy-two (72) hours. Such notice shall be served upon the owner of the vehicle by leaving a copy of the notice on or within the vehicle. Notice to the owner or person in lawful possession or control of the property upon which such motor vehicle is located may be served by conspicuously posting the notice upon the premises. In the case of publicly-owned property, notice to the owner of the

property where the vehicle is found is hereby dispensed with. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-605. Failure to remove declared misdemeanor. The owner of any abandoned vehicle who fails, neglects or refuses to remove the vehicle or to house such vehicle and abate such nuisance in accordance with the notice given pursuant to the provisions of § 15-604 shall be guilty of a misdemeanor. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-606. Abatement and removal by city. If the vehicle is not disposed of after the time provided for in the notice, the police chief shall report the location of the vehicle to the storage agent of the city, which agent is defined in § 15-614, and the storage agent shall then remove the vehicle to his lot. At the time that the vehicle is removed by the storage agent a tow-in ticket shall be completed by the storage agent, in triplicate. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-607. Tow-in ticket. The tow-in ticket as provided for in this division shall be in the following form:

VEHICLES TO STORAGE AGENT

Ticket No. _____
Make of Car _____ Type _____ Motor No. _____
Serial No. _____ License No. _____ State _____
Where Found _____ Date _____
Time _____ Parts of Car Damaged or Missing _____
Keys in Car _____ Switch Locked _____ Switch Unlocked _____
Trunk Locked _____ Doors Locked _____ Radio in Car _____
Spare Tire and Wheel _____ Jack _____ Was Car Driven in _____
By: _____
Personal Property in Car _____
Remarks _____
Owner _____
Address _____ City or State _____
Signature of Towman _____
Signature of Police Department Agent _____ (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-608. Removal and storage. (1) Abandoned vehicles shall be transported from the property where they are found to the storage agent's lot only during the daylight hours.

(2) The abandoned vehicle shall not be double decked on the storage agent's lot until the title search provided for in § 15-609 has been completed by

the police department. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-609. Title search by police department. The police department shall make, or cause to be made, a title search on the abandoned vehicle, and after the title search has been completed by the police department, the results shall be transmitted to the storage agent. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-610. Sale at public auction. (1) Procedure when owner known. After a title search of the abandoned vehicle has been made by the police department, the police chief shall give notice by registered mail to the owner of the vehicle that the vehicle will be sold at public auction. The notice shall specify the date, hour and location of the sale. The police chief shall determine the date of the sale of the abandoned vehicles, in cooperation with the city purchasing agent, provided that the vehicles shall be sold within thirty (30) days. The vehicle shall be sold by the city purchasing agent, and he may sell the vehicles individually or as a group. Each car at the sale shall be subject to the tow-in charge and storage charges, which charges shall be determined by the police chief, and the storage agent shall be permitted to bid at the sale. There shall be no liability on the part of the city to the storage agent for the tow-in charges and storage charges. The title to the abandoned vehicle sold at the public auction shall pass to the purchaser at the time of the sale. The proceeds derived from the sale of the vehicles shall be paid over to the storage agent to the extent of the expenses incurred by the storage agent, and any additional amount shall be paid to the former owner of the vehicle. The city purchasing agent shall report to the police chief of vehicles sold at the sale and the amount received for the vehicles. Notice of sale shall be posted at city hall at the place of sale, and such other places as the police chief determines, fifteen (15) days in advance of the sale.

(2) Procedure when owner of vehicle cannot be ascertained. If the owner of the vehicle cannot be ascertained by the title search of the police department within thirty (30) days after the vehicle is moved to the storage agent's lot, the vehicle shall be sold in accordance with the provisions of subsection (1) of this section within thirty (30) days, provided that the notice to the owner by registered mail shall be dispensed with. Any proceeds of sale in excess of tow-in and storage under subsections (2), (3) and (4) of this section shall be paid to the general fund of the city.

(3) No identification number. If the vehicle has no serial number or other identification number, then the title search as provided for in this section, shall be dispensed with, and the vehicle shall be sold in accordance with the provisions of subsection (1) of this section within thirty (30) days of it being moved to the storage agent's lot, provided that the notice by registered mail to the owner shall also be dispensed with.

(4) Disposition of worthless vehicles. Any vehicles as provided in this section, which, after having been advertised and listed for sale, shall bring no price, then and in that event, the purchasing agent shall deem such vehicle as worthless and shall dispose of the vehicle in such manner as he and the police chief may deem right and proper.

(5) Vehicles over six years old and totally inoperable. Notwithstanding any other provision of this division, any person or unit of government, upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost or destroyed, may dispose of such motor vehicle to a demolisher without that title and without the notification procedures of this division, if the motor vehicle is over six (6) years old and has no engine or is totally inoperable. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-611. Return of vehicle to owner. If during the time that the vehicle is being held by the storage agent, the owner of the vehicle demands the return of the vehicle, then the storage agent upon receipt of written authorization of the police chief shall turn the vehicle over to the owner upon the payment of the storage and tow-in fees by the owner. The storage agent shall notify the police chief of such redemption request by the owner of the vehicle and obtain written authorization prior to release. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-612. Storage and sale of valuable property found in abandoned vehicles. Any unclaimed valuable property found in any abandoned vehicle subject to this division shall be stored by the storage agent and sold at public auction as determined by the police chief. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-613. Storage agent; position created; appointment; term.

(1) The city shall have the option each year to secure the services of a storage agent. In any year in which the city elects not to secure such services, the duties of the storage agent shall be performed by the police department, and personnel designated as storage agent will assume the duties as set out in this division. In any year in which the city desires to secure a storage agent, the city shall give notice of the taking of bids for the position. At the date set for submitting bids, any person desiring to bid as storage agent, who meets the requirements as set out in section 15-259, shall submit his bid. The person who submits the highest bid shall be designated as storage agent for the purposes set out in this division; however, the city shall have the right to reject any bid submitted. The money received from the person who qualifies as storage agent shall be paid into the general funds of the city.

(2) The position of storage agent shall extend for a one (1) year period from the date of appointment, and at the end of the one (1) year period, and each

year thereafter, bids for the position of storage agent shall be taken in the manner as provided in this section. The person who is appointed storage agent in any given year shall be eligible to bid for the position again the following year.

(3) The mayor with the consent of the board of commissioners shall have the authority, if there are no bids for the position of storage agent or if all bids are rejected as provided in this section, to enter into a contract with an individual, firm or corporation for the position of storage agent for a period of one year or longer as the mayor in his discretion deems necessary for the health, safety and welfare of the citizens of the city. (as added by Ord. #148-08, Oct. 2008)

15-614. Qualifications of storage agent. At the time a person submits his bid for the position of storage agent, he shall certify to the following factors:

(1) That he has an adequate number of wreckers and further, an adequate area to store the abandoned vehicles pending the sale of such vehicles, the number of wreckers and amount of storage space being subject to the approval of the police chief;

(2) That he carry liability insurance in such amount as may be approved by the police chief and city attorney;

(3) That he has space available for the storage of valuable property found in the abandoned vehicles at the time they are towed in. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 7

BICYCLES AND TOY VEHICLES

SECTION

15-701. Traffic laws apply to persons riding bicycles.
15-702. Riding on bicycles.
15-703. Use of toy vehicles.
15-704. Clinging to vehicles.
15-705. Riding on roadways and bicycle paths.
15-706. Carrying articles on bicycles.
15-707. Lamps and other equipment on bicycles.

15-701. Traffic laws apply to persons riding bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any vehicle except as to special regulations in Tennessee Code Annotated, §§ 55-8-171 and 55-8-177, except as to special regulations and except as to those provisions which by their nature can have no application. State law references: Similar provisions, T.C.A. § 55-8-172. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-702. Riding on bicycles. (1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto, except for a certified police cyclist who is performing duties that require riding in a side dismounting position.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped. State law references: Similar provisions, T.C.A. § 55-8-173(a), (b). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-703. Use of toy vehicles. (1) No person upon roller skates, skateboards, sleds, 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 crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(2) No person shall play on a street other than upon the sidewalk thereof, or use thereon roller skates, coasters or any similar vehicle or toy or article on wheels or a runner except in such areas as may be specially designated for that purpose by the city. State law references: Similar provisions, T.C.A. § 55-8-173(c). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-704. Clinging to vehicles. (1) No person riding upon any bicycle, roller skates, sled or toy vehicle shall attach such bicycle, roller skates, sled or toy vehicle, or such person's own body, to any vehicle upon a roadway.

(2) The provisions of this section shall not be construed to prohibit the attachment of a bicycle trailer or bicycle semitrailer to a bicycle if such trailer or semitrailer is designed specifically for such purpose. State law references: Similar provisions, T.C.A. § 55-8-174(a), (b). (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-705. Riding on roadways and bicycle paths. (1) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the righthand curb or edge of the roadway, except under any of the following situations:

(a) When overtaking and passing another vehicle proceeding in the same direction;

(b) When preparing for a left turn at an intersection or into a private road or driveway; or

(c) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the righthand curb or edge. For purposes of this section, the term "substandard width lane" means a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane. This subsection (1) does not apply to a certified police cyclist engaged in the lawful performance of duty relating to traffic control.

(2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane. This subsection (2) does not apply to a certified police cyclist engaged in the lawful performance of duty relating to traffic control or in pursuit of an actual or suspected violator of the law.

(3) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. State law references: Similar provisions, T.C.A. § 55-8-175. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-706. Carrying articles on bicycles. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars. State law references: Similar provisions, T.C.A. § 55-8-176. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

15-707. <u>Lamps and other equipment on bicycles</u>. (1) Every bicycle when 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 approved by the state department of safety which shall be visible from all distances 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.

(2) 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.

(3) Every bicycle shall be equipped with a brake which will enable the operator to stop the bicycle within twenty-five (25) feet from a speed of ten miles per hour on dry, level, clean pavement. State law references: Similar provisions, T.C.A. § 55-8-177. (as added by Ord. #66-05, Aug. 2005, as replaced by Ord. #148-08, Oct. 2008)

CHAPTER 8

MOTORCYCLES

SECTION

15-801. Riding on motorcycles.
15-802. Handlebars.
15-803. Crash helmet required for driver and passenger.
15-804. Windshields, safety goggles, face shields or glasses.
15-805. Rear view mirrors and footrests.
15-806. Operation on laned roadways.
15-807. Responsibility of parents and guardians.

15-801. Riding on motorcycles. (1) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto. Such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

(2) A person shall ride upon a motorcycle only while sitting astride the seat, headlamp illuminated, facing forward, with one leg on each side of the motorcycle.

(3) No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.

(4) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator. State law references: Similar provisions, T.C.A. § 55-8-164. (as added by Ord. #148-08, Oct. 2008)

15-802. Handlebars. No person shall operate any motorcycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator. State law references: Similar provisions, T.C.A. § 55-9-305(b). (as added by Ord. #148-08, Oct. 2008)

15-803. Crash helmet required for driver and passenger. (1) The driver of a motorcycle, motorized bicycle as defined in this chapter or motor-driven cycle, and any passenger thereon, shall be required to wear a crash helmet of a type approved by the commissioner of safety.

(2) This section does not apply to persons riding within an enclosed cab or to golf carts. State law references: Similar provisions, T.C.A. § 55-9-302. (as added by Ord. #148-08, Oct. 2008)

15-804. Windshields, safety goggles, face shields or glasses. Every motorcycle or motor-driven cycle operated upon any highway or public road of this city shall be equipped with a windshield, or, in the alternative, the operator and any passenger on any such motorcycle or motor-driven cycle shall be required to wear safety goggles, face shields or glasses containing impact resistant lenses. State law references: Similar provisions, T.C.A. § 55-9-304. (as added by Ord. #148-08, Oct. 2008)

15-805. Rear view mirrors and footrests. All motorcycles and motor-driven cycles operated upon any street or public road of this city shall be equipped with a rear view mirror and securely attached footrests for the operators and passengers, on all motorcycles and motor-driven cycles. State law references: Similar provisions, T.C.A. § 55-9-305(a). (as added by Ord. #148-08, Oct. 2008)

15-806. Operation on laned roadways. (1) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane.

(2) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(3) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

(4) Motorcycles shall not be operated more than two abreast in a single lane.

(5) Subsections (2) and (3) of this section shall not apply to police officers in the performance of their official duties. State law references: Similar provisions, T.C.A. § 55-8-182. (as added by Ord. #148-08, Oct. 2008)

15-807. Responsibility of parents and guardians. If any parent, or guardian, knowingly permits a minor to operate a motorcycle in violation of this article, such parent or guardian shall be guilty of a misdemeanor. State law references: Similar provisions, T.C.A. § 55-9-307. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 9

PEDESTRIANS[1]

SECTION

15-901. Application of chapter.
15-902. Use of crosswalks generally.
15-903. When crossing at marked crosswalk required.
15-904. Right-of-way in crosswalks.
15-905. Crossing at other than crosswalks.
15-906. Pedestrian tunnels or overhead crossings.
15-907. Walking on roadways.
15-908. Soliciting rides, employment or business.
15-909. Soliciting the watching or guarding of parked vehicles.
15-910. Blind or deaf persons.

15-901. Application of chapter. Pedestrians shall be subject to traffic control signals at intersections, as provided for in this chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as stated in this chapter. State law references: Similar provisions, T.C.A. § 55-8-133(a). (as added by Ord. #148-08, Oct. 2008)

15-902. Use of crosswalks generally. Whenever there is a marked crosswalk, all pedestrians in crossing at such crosswalk shall stay within the markings or lines, and, whenever practicable, such pedestrians shall walk on the right half of the crosswalk. State law references: Similar provisions, T.C.A. § 55-8-137. (as added by Ord. #148-08, Oct. 2008)

15-903. When crossing at marked crosswalk required. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk. State law references: Similar provisions, T.C.A. § 55-8-135(c). (as added by Ord. #148-08, Oct. 2008)

15-904. Right-of-way in crosswalks. (1) 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 the pedestrian is upon the half of the roadway within a crosswalk upon which the vehicle is traveling, or when

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[1]State law references
Pedestrians generally, T.C.A. § 55-8-133 et seq.

the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to yield.

(2) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. State law references: Similar provisions, T.C.A. § 55-8-134. (as added by Ord. #148-08, Oct. 2008)

15-905. Crossing at other than crosswalks. Every pedestrian crossing a roadway at any point other than within a marked crosswalk, or within an unmarked crosswalk at an intersection, shall yield the right-of-way to all vehicles upon the roadway. State law references: Similar provisions, T.C.A. § 55-8-135(a). (as added by Ord. #148-08, Oct. 2008)

15-906. Pedestrian tunnels or overhead crossings. 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. State law references: Similar provisions, T.C.A. § 55-8-135(b). (as added by Ord. #148-08, Oct. 2008)

15-907. Walking on roadways. (1) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided, any pedestrian walking along and upon a street shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. State law references: Similar provisions, T.C.A. § 55-8-138. (as added by Ord. #148-08, Oct. 2008)

15-908. Soliciting rides, employment or business. No person shall stand in a road right-of-way for the purpose of soliciting a ride, employment or business from the occupant of any vehicle. State law references: Similar provisions, T.C.A. § 55-8-139(a). (as added by Ord. #148-08, Oct. 2008)

15-909. Soliciting the watching or guarding of parked vehicles. No person shall stand on or in proximity to a street for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked. State law references: Similar provisions, T.C.A. § 55-8-139(b). (as added by Ord. #148-08, Oct. 2008)

15-910. Blind or deaf persons. No person, unless totally or partially blind or otherwise incapacitated, while on any public street or thoroughfare

shall carry in any raised or extended position any cane or similar walking stick colored white or white tipped with red. (as added by Ord. #148-08, Oct. 2008)

CHAPTER 10

VEHICLE EQUIPMENT AND LOADS[1]

SECTION

10-1001. Generally.
10-1002. Brakes.
10-1003. Lights and reflectors.

10-1001. Generally. (1) Studded tires. (a) No person shall use a tire on a vehicle moved on a street which shall have on its periphery any block, stud, flange, cleat or spike or any other protuberances of a material other than rubber which project beyond the tread of the traction surface of the tire except as otherwise provided in this section.

(b) A person may operate on a street a vehicle equipped with a tire which may have imbedded in it wire or other material for improving traction on snow and ice during the period of October 1 through April 15 of each year. Such a tire shall be so constructed that the percentage of wire or other material in contact with the roadway does not exceed, after the first one thousand (1,000) miles of use or operation, five percent of the total tire area in contact with the roadway. During the first one thouand (1,000) miles of use or operation of any such tire, the wire or other material in contact with the roadway shall not exceed twenty (20) percent of the total tire area in contact with the roadway. The studded tires allowed by this subsection shall not be used at any time on a vehicle with a maximum gross weight of more than nine thousand (9,000) pounds, unless such a vehicle is a school bus or an emergency vehicle.

(c) It shall be permissible to use tire chains of reasonable proportions on any vehicle when required for safety because of snow, ice or other condition tending to cause a vehicle to skid.

(d) It shall be permissible to use farm machinery with tires having protuberances which will not injure a street. State law references: Similar provisions, T.C.A. § 55-9-106.

(2) Muffler required. No person shall drive a motor vehicle on a street unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. State law references: Similar provisions, T.C.A. § 55-9-202(a).

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[1]State law references

Equipment, T.C.A. § 55-9-101 et seq.; size, weight and load, T.C.A. § 55-11-101 et seq.

(3) Muffler cutouts. It shall be unlawful to use a muffler cutout on any motor vehicle upon a street. State law references: Similar provisions, T.C.A. § 55-9-202(b).

(4) Horns and other warning devices. (a) Every motor vehicle, when operated upon any street shall be equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, and it shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted in this chapter. Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting a sound audible under normal conditions from a distance of at least five hundred (500) feet and of a type approved by the police department, but such siren shall not be used except when such vehicle is operated in response to an emergency and then only when necessary to warn pedestrians and other drivers of the approach thereof. State law references: Similar provisions, T.C.A. § 55-9-201.

(5) Adequate energy absorption system. (a) No person shall operate a motor vehicle on any street unless the vehicle is equipped with a bumper or other energy absorption system with an analogous function.

(b) (i) No person shall operate a passenger vehicle, except a four-wheel drive recreational vehicle, of a type required to be registered under the laws of this state upon a public street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are more than twenty-two (22) inches above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, however, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public street with normal wear of the suspension system if normal wear does not affect the control of the vehicle.

(ii) No person shall operate a four-wheel drive recreational vehicle of a type required to be registered under the laws of this state upon a public street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are not within the range of fourteen (14) inches to thirty-one (31) inches above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, however, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public street with normal wear of the suspension system if normal wear does not affect the control of the vehicle. In the case of a four-wheel drive vehicle where the thirty-one (31) inches limitation is exceeded, the vehicle will comply with this section if the vehicle is equipped with a drop bumper. Such a drop bumper must be bolted and welded to the frame of the vehicle and be made of a strength equal to a stock bumper.

(iii) No person shall modify or cause to be modified by the use of lift blocks the front end suspension of a motor vehicle.

(iv) (A) Maximum frame heights for motor vehicles shall be as follows:

(1) Passenger cars 22 inches;

(2) Trucks and recreational vehicles:

(i) 4,500 pounds and under 24 inches;

(ii) 4,501--7,500 pounds, 26 inches;

(iii) 7,501--10,000 pounds, 28 inches.

(B) Frame height measurements shall be taken from the bottom of the frame by measuring the vertical distance between the ground and the lowest point of the frame directly below the point in line with the center of the steering wheel.

(v) No person shall operate a motor vehicle having a distance greater than four (4) inches between the body floor and the top of the frame.

(vi) No person shall modify or cause to be modified the original manufacturer installed steering mechanism, including welding, nor the front spindle where the brake pads mount, on a

passenger vehicle or a truck or recreational vehicle with a weight up to ten thousand (10,000) pounds.

(c) This section shall not apply to freight motor vehicles and/or other vehicles which have designs which would intrinsically preclude conformity with this section. This section also shall not apply to any vehicle which has an unaltered and undamaged stock bumper or energy absorption system as supplied by the manufacturer of the vehicle. State law references: Similar provisions, T.C.A. § 55-9-215.

(6) Windshields and windows. It shall be unlawful for any person to drive any vehicle upon a street with any sign, poster or other nontransparent material upon the front windshield, sidewings, or side or rear window of such motor vehicle, other than a certificate or other paper required to be so displayed by law. The windshield and windows of such vehicle shall be of transparent material so as to furnish the driver a clear unobstructed view of the front, sides and rear. State law references: Safety glass in motor vehicles, T.C.A. § 55-9-208 et seq.

(7) Reflectorized car windows. It shall be unlawful for any person to operate a motor vehicle upon a public street in which any window of such vehicle has been altered, treated or replaced with sun screen materials which do not meet the standards as set forth in state law. State law references: Sun screen material, T.C.A. § 55-9-107.

(8) Windshield wipers. Every motor vehicle having a windshield shall be equipped with two windshield wipers for cleaning rain, snow or other moisture from the windshield in order to provide clear vision for the driver, unless one windshield wiper cleans to within one inch of each side of the windshield. State law references: Similar provisions, T.C.A. § 55-9-203.

(9) Rear view mirrors. No person shall drive a motor vehicle on a street unless such vehicle is equipped with a mirror so located as to reflect to the driver a view of the street for a distance of at least 200 feet to the rear of such vehicle. State law references: Trucks to be equipped with rearview mirror, T.C.A. § 55-9-206; rearview mirrors for motorcycles, T.C.A. § 55-9-305.

(10) Vehicles so constructed or loaded to prevent escape of load. (a) No vehicle shall be driven or moved on any street unless such vehicle is so constructed as to prevent its contents from dropping, shifting, leaking or otherwise escaping therefrom.

(b) No person shall load any vehicle with dirt, ashes, rubbish, debris or other material in a manner or to the extent that such dirt, ashes, rubbish, debris or other material can or will fall or drop from the vehicle to the street, and no vehicle so loaded shall be driven or conveyed through any street of the city. State law references: Loose material hauled in open truck bed, T.C.A. § 55-7-109.

(11) Vehicles so constructed or loaded to obstruct traffic. No person shall drive or direct any vehicle on a street when such vehicle is in a condition,

or so constructed or loaded as to be likely, to cause delay in traffic or injury to persons or property.

(12) Permit required for excessively wide vehicles. No person shall drive or convey through any street any vehicle, the width of which, with its load, exceeds eight feet, except in accordance with a permit issued by the chief of police. State law references: Maximum width and height, T.C.A. § 55-7-202.

(13) Extension of loads on passenger vehicles. No passenger vehicle shall carry any load extending beyond the fenders on the left side of such vehicle or extending more than six (6) inches beyond the line of the fender on the right side thereof. (as added by Ord. #148-08, Oct. 2008)

15-1002. Brakes.[1] (1) Generally. Every motor vehicle, other than a motorcycle, when operated upon any street within the city, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels. State law references: Similar provisions, T.C.A. § 55-9-204(a).

(2) Motorcycles. Every motorcycle and bicycle with motor attached, when operated upon any street within the city, shall be equipped with at least one (1) brake which may be operated by hand or foot. State law references: Similar provisions, T.C.A. § 55-9-204(b).

(3) Trailers and semitrailers. Every trailer or semitrailer of a gross weight of three thousand (3,000) pounds or more, when operated upon any street within the city, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab. The brakes shall be so designed and connected that in case of an accidental break away of the towed vehicle the brakes shall be automatically applied. State law references: Similar provisions, T.C.A. § 55-9-204(c).

(4) New vehicles. Every new motor vehicle, trailer or semitrailer sold after May 21, 1937, and operated upon the streets of this city, shall be equipped with service brakes upon all wheels of every such vehicle, except trucks and truck tractors having three or more axles need not have brakes on the front wheels, unless such vehicles are equipped with at least two steerable axles the wheels of one such axle need not be equipped with brakes, except any motorcycle, and except that any semitrailer of less than one thousand five

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[1]State law references
Brakes generally, T.C.A. § 55-9-204 et seq.

hundred (1,500) pounds gross weight need not be equipped with brakes. State law references: Similar provisions, T.C.A. § 55-9-204(d).

(5) Performance ability of brakes. (a) The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle when traveling twenty (20) miles per hour within a distance of thirty (30) feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one percent.

(b) Under such conditions, the hand brake shall be adequate to stop such vehicle within a distance of fifty-five (55) feet, and such parking brake shall be adequate to hold such vehicle stationary on any grade upon which operated.

(c) Under the conditions of subsections (a) and (b) of this section, the service brakes upon a motor vehicle equipped with two wheel brakes only, when permitted under this division, shall be adequate to stop the vehicle within a distance of forty (40) feet and the parking brake adequate to stop the vehicle within a distance of fifty-five (55) feet.

(d) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted by statute. State law references: Similar provisions, T.C.A. § 55-9-205(a)--(d).

(6) Maintenance and adjustment of brakes. All brakes specified in this division 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 vehicles. State law references: Similar provisions, T.C.A. § 55-9-205(e). (as added by Ord. #148-08, Oct. 2008)

10-1003. Lights and reflectors.[1] (1) Lights required on motor vehicles; exceptions; regulations as to color, type and visibility distance. (a) Every motor vehicle other than a motorcycle, road roller, road machinery or farm tractor shall be equipped with at least two (2) and not more than four (4) headlights, with at least one on each side of the front of the motor vehicle. No nonemergency vehicle shall operate or install emergency flashing light systems such as strobe, wig-wag, or other flashing lights within the headlight assembly or grill area of the vehicle. Auxiliary road lighting lamps may be used, but not more than two (2) of such lamps shall be lighted at any one time in addition to the two (2) required headlights. No spotlight or auxiliary lamp shall be so aimed upon approaching another vehicle that any part of the high intensity portion of the beam therefrom is directed beyond the left side of the motor vehicle upon which the

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[1]State law references

Lighting regulations, T.C.A. § 55-9-401 et seq.

spotlight or auxiliary lamp is mounted, nor more than one hundred (100) feet ahead of such motor vehicle.

(b) Every motor vehicle shall be equipped with two (2) red taillamps and two (2) red stoplights on the rear of such vehicle, and one (1) taillamp and one stoplight shall be on each side, except that passenger cars manufactured or assembled prior to January 1, 1939, trucks manufactured or assembled prior to January 1, 1968, and motorcycles and motor-driven cycles shall have at least one (1) red taillamp and one (1) red stoplight. No nonemergency vehicle shall operate or install emergency flashing light systems such as strobe, wig-wag or other flashing lights in taillight lamp, stoplight area or factory installed emergency flasher and backup light area. The stoplight shall be so arranged as to be actuated by the application of the service or foot brake and shall be capable of being seen and distinguished from a distance of one hundred (100) feet to the rear of a motor vehicle in normal daylight, but shall not project a glaring or dazzling light. The stoplight may be incorporated with the taillamp.

(c) Each lamp and stoplight required in this section shall be in good condition and operational.

(d) No vehicle operated in this city shall be equipped with any flashing red or white light or any combination of red or white lights which displays to the front of such vehicle except school buses, a passenger motor vehicle operated by a rural mail carrier of the United States postal service while performing the duties of a rural mail carrier, authorized law enforcement vehicles only when used in combination with a flashing blue light, and emergency vehicles used in firefighting, including ambulances, emergency vehicles used in firefighting which are owned or operated by the division of forestry, firefighting vehicles, rescue vehicles, privately owned vehicles of regular or volunteer firefighters certified in Tennessee Code Annotated, § 55-9-201(c), or other emergency vehicles used in firefighting owned, operated or subsidized by the governing body of any county or municipality. Any emergency rescue vehicle owned, titled and operated by a state chartered rescue squad, a member of the Tennessee Association of Rescue Squads, privately owned vehicles of regular or volunteer firefighters certified in Tennessee Code Annotated, § 55-9-201(c), and marked with lettering at least three (3) inches in size and displayed on the left and right sides of the vehicle designating it an "emergency rescue vehicle," any authorized civil defense emergency vehicle displaying the appropriate civil defense agency markings of at least three (3) inches, and any ambulance or vehicle equipped to provide emergency medical services properly licensed as required in the state and displaying the proper markings, shall also be authorized to be lighted in one or more of the following manners:

(i) A red or red/white visibar type with public address system;

(ii) A red or red/white oscillating type light; and

(iii) Blinking red or red/white lights, front and rear. Any vehicle, other than a passenger motor vehicle operated by a rural mail carrier of the United States Postal Service while performing the duties of a rural mail carrier or an emergency vehicle authorized by this section to display flashing red or red/white lights, or authorized law enforcement vehicles using red, white and blue lights in combination, which displays any such lights shall be considered in violation of this section. State law references: Similar provisions, T.C.A. § 55-9-402.

(2) Headlamps on motorcycles. Every motorcycle shall be equipped with at least one (1) and not more than two (2) headlamps. State law references: Similar provisions, T.C.A. § 55-9-403.

(3) Lights on vehicles other than motor vehicles; visibility distance. Every vehicle other than a motor vehicle, when traveling upon a street under the control of the city appropriated or open to public use or travel, shall be equipped with a light attached to and on the upper left side of such vehicle, capable of displaying a light visible five hundred (500) feet to the front and five hundred (500) feet to the rear of such vehicle under ordinary atmospheric conditions. Such light shall be displayed during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at all other times when there is not sufficient light to render clearly discernible any person on the road or highway at a distance of two hundred (200) feet ahead of such vehicle. State law references: Similar provisions, T.C.A. § 55-9-401(a).

(4) Lamp at end of train of vehicles. Every motor vehicle and every trailer or semitrailer which is being drawn at the end of a train of vehicles shall carry at the rear a lamp of a type which exhibits a yellow or red light plainly visible under normal atmospheric conditions from a distance of five hundred (500) feet to the rear of such vehicle. Such light shall be so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle. State law references: Similar provisions, T.C.A. § 55-9-404.

(5) Signals by hand and arm or signal device. (a) Any stop or turn signal when required in this section shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device approved by the state, except as otherwise provided in subsection (b) of this section.

(b) Any motor vehicle in use on a street shall be equipped with, and required signal shall be given by, a signal lamp or mechanical signal device approved by the state when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such

motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles. State law references: Similar provisions, T.C.A. § 55-8-144.

(6) Lighting devices and reflectors on vehicles having width in excess of 80 inches; truck tractors and trailers. (a) Every motor vehicle other than any passenger car, any road roller, road machinery or farm tractor having a width of 80 inches or more shall be equipped with at least the following lighting devices and reflectors:

(i) On the front, at least two (2) headlamps, an equal number at each side; two (2) turn signals, one at each side; two (2) clearance lamps, one (1) at each side; three identification lamps, mounted on the vertical centerline of the vehicle, or the vertical centerline of the cab where different from the centerline of the vehicle, except that where the cab is not more than forty-two (42) inches wide at the front roofline, a single lamp at the center of the cab shall be deemed to comply with the requirements for identification lamps. No part of the identification lamps or their mountings may extend below the top of the vehicle windshield.

(ii) On the rear, two (2) taillamps, one (1) at each side; two (2) stop lamps, one at each side; two turn signals, one (1) at each side; two (2) clearance lamps, one (1) at each side; two (2) reflectors, one (1) at each side; three identification lamps, mounted on the vertical centerline of the vehicle, provided that the identification lamps need not be lighted if obscured by a vehicle towed by the truck.

(iii) On each side, one (1) sidemarker lamp at or near the front, one (1) sidemarker lamp at or near the rear; one (1) reflector at or near the front, and one reflector at or near the rear.

(b) Every truck tractor shall be equipped as follows:

(i) On the front, at least two (2) headlamps, an equal number at each side; two (2) turn signals, one (1) at each side; two (2) clearance lamps, one (1) at each side; three (3) identification lamps, mounted on the vertical centerline of the vehicle, or the vertical centerline of the cab where different from the centerline of the vehicle, except that where the cab is not more than forty-two (42) inches wide at the front roofline, a single lamp at the center of the cab shall be deemed to comply with the requirement for identification lamps. No part of the identification lamps or their mountings may extend below the top of the vehicle windshield.

(ii) On the rear, one taillamp; one (1) stop lamp; two (2) reflectors, one (1) at each side; and, unless the turn signals on the front are so constructed (double-faced) and located as to be visible

to passing drivers, two turn signals on the rear of the cab, one (1) at each side.

(iii) Every semitrailer or full trailer eighty (80) inches or more in overall width, except converter dollies, shall be equipped as follows:

(A) On the front, two (2) clearance lamps, one (1) at each side;

(B) On the rear, two (2) taillamps, one at each side; two (2) stop lamps, one (1) at each side; two turn signals, one (1) at each side; two (2) clearance lamps, one (1) at each side; two (2) reflectors, one (1) at each side; three (3) identification lamps, mounted on the vertical centerline of the vehicle, provided that the identification lamps need not be lighted if obscured by another vehicle in the same combination;

(C) On each side, one (1) sidemarker lamp at or near the front; one (1) sidemarker lamp at or near the rear; one (1) reflector at or near the front; one reflector at or near the rear; and, in case of semitrailers and full trailers thirty (30) feet or more in length, at least one (1) additional sidemarker lamp at optional height and at least one (1) additional reflector, the additional sidemarker lamp (or lamps) and reflector (or reflectors) to be at or near the center or at approximately uniform spacing in the length of the vehicle;

(D) For the purposes of the regulations of this section, a converter dolly is a motor vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which vehicle converts a semitrailer to a full trailer. Each dolly, when towed singly by another vehicle, and not as part of a full trailer, shall be equipped with one (1) stop lamp, one (1) taillamp and two (2) reflectors on the rear. No lighting devices or reflectors are required on the front or sides of any dolly. State law references: Similar provisions, T.C.A. § 55-9-405.

(7) Light or flag for projecting load. During the time when lights are required to be displayed, there shall be attached to the rearmost extremity of any load which projects four (4) feet or more beyond the rear of the body of the motor vehicle, or at any tailboard or tailgate so projecting, or to the rearmost extremity of any load, carried on a pole trailer, at least one (1) red lamp, securely fastened thereto, which shall be visible from a distance of five hundred (500) feet to the sides and rear under normal atmospheric conditions. At all other times a red flag of cloth, synthetic or manmade material shall be so displayed. State law references: Similar provisions, T.C.A. § 55-9-405(d).

(8) Use of searchlights and spotlights prohibited; exception. Aircraft searchlights or spotlights shall not be used on the public streets, except by authorized emergency vehicles.

(9) Blue flashing emergency lights on motor vehicles unlawful; exception. It is unlawful for anyone to install, maintain or exhibit blue flashing emergency lights or blue flashing emergency lights in combination with red flashing emergency lights, except full-time, salaried, uniformed law enforcement officers of the state, county, or city and municipal governments of the state, and commissioned members of the state bureau of investigation when their official duties so require as defined by Tennessee Code Annotated, §§ 38-8-106 and 38-8-107. State law references: Similar provisions, T.C.A. § 55-9-414.

(10) Headlights on motor vehicles; operation during inclement weather.

(a) The headlights of every motor vehicle shall be so constructed, equipped, arranged, focused, aimed and adjusted, that they will at all times and under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernible a person two hundred (200) feet ahead, but shall not project a glaring or dazzling light to persons in front of such headlights. Such headlights shall be displayed during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, during fog, smoke or rain, and at all other times when there is not sufficient light to render clearly discernible any person on the road at a distance of two hundred (200) feet ahead of such vehicle.

(b) Operation of headlights during periods of rain, as required in this section, shall be made during any time when rain, mist or other precipitation, including snow, necessitates the constant use of windshield wipers by motorists. State law references: Similar provisions, T.C.A. § 55-9-406.

(11) Multiple beam road lighting equipment. Whenever the road-lighting equipment on a motor vehicle is so arranged that the driver may select at will between two (2) or more distributions of light from headlights or lamps or auxiliary road lighting lamps or lights or combinations thereof, directed to different elevation, the following requirements shall apply while driving during the times when lights are required:

(a) When there is no oncoming vehicle within five hundred (500) feet, the driver shall use an upper distribution of light; provided, however, that a lower distribution of light may be used when fog, dust or other atmospheric conditions make it desirable for reasons of safety, and when within the confines of municipalities where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead and when following another vehicle within five hundred (500) feet.

(b) When within five hundred (500) feet of an oncoming vehicle, a driver shall use a distribution of light so aimed that the glaring rays

therefrom are not directed into the eyes of the oncoming driver. State law references: Similar provisions, T.C.A. § 55-9-407.

(12) Headlights complying with prohibition against glaring and dazzling lights; anti-glare devices; mounted height of lamps. Headlights shall be deemed to comply with the provisions of subsection (10), prohibiting glaring and dazzling lights, if the headlights are of a type customarily employed by manufacturers of automobiles and in addition are equipped with some anti-glare device approved by the state; provided, however, that the state shall not approve any anti-glare device, or any combination thereof, unless the device has been submitted to a laboratory test and has been found, when properly adjusted, to prevent any of the bright portions of the headlight beams from rising above a horizontal plane passing through the lamp centers parallel to a level road upon which the loaded vehicle stands and, in no case, higher than forty-two (42) inches, seventy-five (75) feet ahead of the vehicle. State law references: Similar provisions, T.C.A. § 55-9-408. (as added by Ord. #148-08, Oct. 2008)