

**PART 15**

**TRAFFIC AND VEHICLES**

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**SECTION 15-101    CITATION OF CHAPTER**

This Chapter and all amendments thereto may be cited or referred to as the "Traffic Code, Town of Oologah" and may so appear upon all official documents, records or instruments.

**SECTION 15-102    TRAFFIC CODE CONTROLLING**

Except as specifically provided by law as set forth in this Chapter, the Traffic Code shall be controlling in the use of Town streets, alleys, thoroughfares, parks, parkways or any other public right-of-way or municipally owned land, by pedestrians and by vehicles of every kind whether self-propelled or otherwise and whether moving or at rest.

**SECTION 15-103    DEFINITIONS**

As used herein:

1. "Alley" means any narrow highway ordinarily located in the interior portion of platted block and ordinarily used for service or delivery purposes at the rear of stores, dwellings, or buildings;

2. "Ambulance" means a motor vehicle constructed, reconstructed or arranged for the purpose of transporting ill, sick, or injured persons;

3. "Bicycle" means a device propelled by human power upon which any person may ride, having two (2) or three (3) 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 (10) passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation;

5. "Controlled access highway" means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway;

6. "Commercial vehicles" means every vehicle designed, maintained, or used primarily for the transportation of property;

7. "Center lane" means any clearly marked center lane. If the center lane is not marked and no cars are parked on the roadway, then the center lane is equally distanced between the curbs or traveled portion of the roadway. In the event a vehicle or vehicles are parked on one side of the roadway only, then the center lane is equally distanced from the side of the parked vehicle or vehicles toward the street and curb on the opposite roadway. If vehicles be parked on each side of the roadway, then the center lane is equally distanced from the edges of the parked vehicles;



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8. "Cross walk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs; or in the absence of curbs from the edges of the traversable roadway. "Cross walk" also means any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;

9. "Curb loading zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials;

10. "Drive" or "to drive" means to drive, operate or be in actual physical control of a vehicle;

11. "Driver or operator" means a person who drives or is in actual physical control of a vehicle;

12. "Emergency" means an unforeseeable occurrence of temporary duration causing or resulting in an abnormal increase in traffic volume, cessation or stoppage of traffic movement, or creation of conditions hazardous to normal traffic movement, including fire, storm, accident, riot, or spontaneous assembly of large numbers of pedestrians in such a manner as to impede the flow of traffic;

13. "Emergency vehicle" or "authorized emergency vehicle" means vehicles of the Fire Departments, Police vehicles and ambulances;

14. "Highway", see "Street;"

15. "Intersection" means:

a. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral lines of the roadway of two(2) streets, which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets join at any other angle, may come in conflict; or

b. Where a street includes two (2) roadways thirty (30) feet or more part, then every crossing of each roadway of such divided street by an intersecting street, shall be regarded as a separate intersection. In the event such intersecting street also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such streets shall be regarded as separate intersections;

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

17. "Limited access highway", see controlled access highway;

18. "Loading Zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material. A freight curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of freight; a

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passenger curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of passengers;

19. "Limit lines" means boundaries of parking areas, loading zones and non-traffic areas and lines indicating the proper place for stopping where stops are required;

20. "Motorcycle, motor scooter, and motor bicycle" mean a motor vehicle, other than a tractor, having a seat or saddle for the use of the driver and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor;

21. "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails;

22. "Official time" shall mean whenever certain hours are named herein they shall mean Central Standard Time, or Daylight Savings Time, as may be in current use in the Town;

23. "Official traffic-control devices" means all signs, signals, markings and devices, not inconsistent with this Code, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

24. "Park or parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers, providing such loading and unloading is in an authorized place;

25. "Pedestrian" means any person afoot;

26. "Police Officer" means every Officer of the Town Police Department, or any Officer authorized to direct or regulate traffic, or to make arrests for violation of traffic regulations;

27. "Private road or roadway" means every way or place in private ownership or leading to property in private ownership and used for vehicular traffic by the owner and those having express or implied permission from the owner;

28. "Railroad" means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails;

29. "Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

30. "Residence district" means the territory contiguous to and including a highway not comprising a business district;

31. "Right-of-way" means the privilege of the immediate use of the roadway. It is the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other;

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32. "Roadway" means that portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the shoulders. In the event a street includes two (2) or more separate roadways the term "roadway", as used herein, shall refer to any such roadway, separately, but not to all such roadways, collectively;

33. "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;

34. "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school; provided, however, that this definition of "school bus" shall not be extended to include buses normally used in Town transit which may be used part-time for the transportation of school children during some portion of the day;

35. "School zone" means all streets or portions of streets immediately adjacent to a school, or school ground, where same is adjacent and for a distance of three hundred (300) feet in each direction;

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

37. "Stand" or "standing" means the any stopping or halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers;

38. "Stop", when required, shall mean the complete cessation from movement;

39. "Stop or stopping", when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a Police Officer or traffic signal;

40. "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular travel;

41. "Through street or highway" means every street, or boulevard or highway, or portion thereof, at the entrances to which:

a. Vehicular traffic from intersecting streets or highways is required by law to come to a full stop before entering or crossing; or

b. Stop signs are erected as provided in this Part;

42. "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any highway street for purpose of travel;

43. "Traffic control devices or signals" mean any device legally authorized and used for the purpose of regulating, warning or guiding traffic;

44. "U-turn" means a turn by which a vehicle reverses its course of travel on the same street; and

45. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks.

**SECTION 15-104    APPLICATION OF REGULATIONS**

The provisions of this Chapter shall apply to every street, highway, alley, roadway, sidewalk, driveway, park area, every other public way either within or outside the corporate limits of the Town, the use of which the Town has jurisdiction and authority to regulate, including but not limited to:

1. Those dedicated to or acquired by the public for public use;
2. Those upon land owned by the Town;
3. Those upon land owned by any other governmental unit, but the regulation of the use of which has been given to the Town;
4. Those upon private property, the regulation of the use of which has been given to the Town.

**SECTION 15-105    CERTAIN VEHICLES PROHIBITED; VEHICLES INJURIOUS TO STREETS**

No vehicle or object which injures or is likely to injure the surface of a street, shall be driven or moved on any street.

State Law Reference: Required equipment on vehicles, *47 OS Sections 12-101, et seq.*

**SECTION 15-106    OBSTRUCTIVE AND DANGEROUS VEHICLES**

No person shall drive any vehicle in such condition, so constructed, or so loaded, as to cause delay or be likely to cause delay in traffic, or as to constitute a hazard to persons or property, except by permit issued by the Chief of Police and in accordance with the terms of such permit.

**SECTION 15-107    VEHICLE EQUIPMENT GENERALLY**

Every vehicle operated upon the streets of the Town shall be equipped as required by law. It is unlawful for any person to:

1.     Operate a vehicle upon a street of the Town which is not equipped as required by law;
2.     Fail to use such equipment in the manner required by law, or to use it in a manner prohibited by law; or
3.     Operate a vehicle which has equipment prohibited by law upon a street in the Town.

**SECTION 15-108    SIZE, WEIGHT OF VEHICLES**

No person shall drive on or convey through any street any vehicle the width, height, length, weight, or load of which exceeds that authorized by State Law, except in accordance with a permit issued by State authority or by the Chief of Police.

**SECTION 15-109    MUFFLERS; MODIFICATIONS PROHIBITED**

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

**SECTION 15-110    MAINTENANCE AND ADJUSTMENT OF BRAKES**

All vehicle brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

**SECTION 15-111    SECURING LOADS**

A.     No vehicle shall be driven or moved on any street or alley unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or salt may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.

B.     No person shall operate on any street or alley any vehicle with any load unless the load, and any covering thereon, is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the streets or alleys.

C. This Section shall not apply to trucks loaded only with livestock, poultry or agricultural products except baled agricultural product but any such truck shall be constructed or loaded as to prevent the livestock or poultry from escaping therefrom.

**SECTION 15-112 INSPECTION OF VEHICLES BY OFFICERS**

Police Officers have authority to inspect and test any vehicle upon the streets of the Town at any time to determine whether it is safe, whether it is properly equipped, and whether its equipment is in proper adjustment or repair.

**SECTION 15-113 OPENING AND CLOSING VEHICLE DOORS**

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

**SECTION 15-114 BOARDING OR ALIGHTING FROM VEHICLES**

No person shall board or alight from any vehicle while such vehicle is in motion.

**SECTION 15-115 UNLAWFUL RIDING**

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

**SECTION 15-116 CLINGING TO VEHICLES PROHIBITED**

No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any moving vehicle upon a roadway.

**SECTION 15-117 LOUD SOUND AMPLIFICATION SYSTEMS PROHIBITED**

A. No person operating or occupying a motor vehicle on a street, highway, alley, parking lot, or driveway shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle.

B. "Sound amplification system" means any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of the human voice or other sound.

C. "Plainly audible" means any sound produced by a sound amplification system from within the vehicle which clearly can be heard at a distance of fifty (50) feet or more. Measurement standard shall be by the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and base reverberations are included. The motor vehicle may be stopped, standing, parked or moving on a street, highway, alley, parking lot, or driveway.

D. It is an affirmative defense to a charge under this Section that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply:

1. The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition;
2. The vehicle was an emergency or public safety vehicle;
3. The vehicle was owned and operated by the Town of Oologah, or public or private utility company; or
4. The vehicle was used in authorized public activities, such as parades, fireworks, sports events, or other activities which have been approved by the appropriate Town official or body.

**SECTION 15-118 AUTHORIZING OR PERMITTING VIOLATIONS PROHIBITED**

No person shall authorize or knowingly permit a vehicle owned by him, registered in his name or under his control to be driven, parked or stopped in violation of any provision of this Chapter. No parent of any child or guardian of any ward shall cause, authorize or knowingly permit such child or ward to violate any provision of this Chapter.

**SECTION 15-119 APPLICATION TO ANIMAL-DRAWN VEHICLES**

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, 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.

**SECTION 15-120 WORKING ON STREETS; EXCEPTIONS**

A. Town employees or contractors, while repairing or improving the streets of the Town, and utility company personnel, when installing, improving, or repairing lines or other utility facilities in the streets, are hereby authorized as necessary, subject to control by the Board of Trustees, to close any street or section thereof to traffic during such repair, maintenance, or construction. In exercising such authority, the employees, personnel or contractors shall erect or cause to be erected proper control devices and barricades to warn and notify the public that the street has been closed to traffic.

B. When any street has been closed to traffic under the provisions of Subsection A and traffic-control devices or barricades have been erected, it is unlawful for any person to drive any vehicle through, under, over, or around the traffic-control devices or barricades, or otherwise to enter the closed area. The provisions of this Subsection shall not apply to persons while engaged in the construction, maintenance and repair, or to persons entering therein for the protection of lives or property. Persons having their places of residence or places of business within the closed area may travel, when possible to do so, through the area at their own risk.

C. Whenever construction, repair, or maintenance of any street or utility line or facility is being performed under traffic, the employees, personnel, or contractor concerned shall erect, or cause to be erected, traffic-control devices to warn and guide the public; and every person using the street shall obey all signs, signals, markings, flagmen, or other traffic-control devices which are placed to regulate, control, and guide traffic through the construction or maintenance area.

### **SECTION 15-121    AUTHORIZED EMERGENCY VEHICLES**

The provisions of this Chapter shall not apply to a 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. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of the vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, except that an authorized emergency vehicle operated as a Police vehicle need not be equipped with or display a red light visible from in front of the vehicle. These provisions 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.

### **SECTION 15-122    APPROACH OF AUTHORIZED EMERGENCY VEHICLES**

Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the Laws of this State, or of a Police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a Police Officer.

### **SECTION 15-123    FOLLOWING FIRE APPARATUS PROHIBITED**

The driver of any vehicle other than 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.



**SECTION 15-124    CROSSING FIRE HOSE**

No vehicle shall be driven over any unprotected hose of a 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.

**SECTION 15-125    DIRECTION OF TRAFFIC BY HAND OR VOICE**

A.     Officers of the Police Department or any Officers designated by the Chief of Police are hereby authorized to direct traffic by voice, hand, or signal in conformance with traffic laws and Ordinances. In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, Officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and Ordinances.

B.     Officers of the Fire Department, when at the scene of a fire, or other emergency, may direct or assist the Police in directing traffic in the immediate vicinity.

**SECTION 15-126    DIRECTION OF TRAFFIC BY UNAUTHORIZED PERSONS**

No unauthorized person shall direct or attempt to direct traffic, except in case of emergency where no Officer is present.

**SECTION 15-127    OBEDIENCE TO POLICE AND FIRE OFFICIALS**

No person shall wilfully fail or refuse to comply with any lawful order or direction of a Police Officer or Fire Department official.

**SECTION 15-128    EMERGENCY AND EXPERIMENTAL REGULATIONS**

The Town Administrator, subject to any directions which the Board of Trustees may give by Motion or Resolution, is empowered to make regulations necessary to make effective the provisions of the traffic Ordinances of this Town and to make temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

**SECTION 15-129    USE OF COASTERS, ROLLERSKATES, AND SIMILAR DEVICES RESTRICTED**

No persons upon rollerskates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a cross walk; and when so crossing, such person is subject to all of the duties applicable to pedestrians. This Section shall not apply upon any street while set aside as a play street as authorized by Ordinances of this Town.

**SECTION 15-130    DUTY OF POLICE**

The Police Department shall have the power to enforce the street traffic regulations of this Town and all of the State vehicle laws applicable to street traffic in this Town, to make arrests for traffic violations, to investigate accidents to cooperate with the officers of the Town in the administration of the traffic laws and in developing ways and means to improve traffic conditions. Officers of the Fire Department, when at the scene of a fire or other emergency, may direct or assist the Police in directing traffic there or in the immediate vicinity.

**SECTION 15-131    ACCIDENTS, DUTY TO STOP, LEAVING SCENE OF ACCIDENT**

A.     The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or property shall immediately stop his vehicle at the scene of such accident, or as close thereto as possible, return to and remain at the scene of the accident until he has given his name, address and the registration of his vehicle and shall upon request exhibit his driver's license to the person injured 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 making arrangements for the carrying of such persons to a physician, surgeon or hospital for medical and surgical treatment if it is apparent that this treatment is necessary, or if such is requested by the injured person. Each such stop shall be made without obstructing traffic more than is necessary.

B.     The driver of a vehicle which is in any manner involved in an accident shall, as soon as practicable, report such accident to a Police Officer or to the Police Department. If a driver makes out a written report of the accident in the Office of the Police Department as soon as practicable after the accident, which report is to be forwarded to the State Department of Public Safety in accordance with State Law, the driver shall be deemed to be in compliance with this Section.

C.     Any person failing to stop or to comply with any of the requirements of this Section shall be guilty of a misdemeanor and upon conviction thereof shall be fined as provided in Section 1-108 of this Code.

**SECTION 15-132    ISSUANCE OF CITATION TAGS**

A.     The Chief of Police is hereby authorized and directed to supply Police Officers with citation tags in sets, each set consisting of an original and at least two (2) duplicate copies, for the purpose of giving notice to persons violating any provisions of this Chapter.

B.     Notice may be given by delivering the tags to the violator or by affixing it to the vehicle involved in the violation.

C.     Each citation tag shall direct the violator to appear and to present such tag at a designated place on or before a date and hour specified thereon. Each tag shall bear the registration number of the vehicle.

D.     Nothing in this Section shall be construed to abridge the power of a Police Officer to arrest any violator and take him into custody.

**SECTION 15-133    FAILURE TO OBEY CITATION**

It is unlawful and an offense for any person to violate his written promise to appear, given to an Officer upon the issuance of a traffic citation regardless of the disposition of the charge for which the citation was originally issued.

The sum of Two Hundred Dollars (\$200.00) shall be taxed upon a Defendant whom fails to appear after receipt of a duly served summons and in which a bench warrant is issued for said Defendant to appear before the Judge.

**SECTION 15-134    FAILURE TO COMPLY WITH TRAFFIC CITATIONS ATTACHED TO PARKED VEHICLES**

If a violator of the restrictions on stopping, standing, or parking under the traffic laws or Ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five (5) days, the Clerk of the Municipal Court may send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five (5) days, a warrant of arrest may be issued. On any occasion where two (2) or more such traffic citations have been affixed on the same motor vehicle and the traffic citations have been disregarded, a warrant of arrest may be issued without sending the letter provided in this Section.

**SECTION 15-135    ILLEGAL CANCELLATION OF TRAFFIC CITATIONS**

It is unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than is provided by this Chapter.

**SECTION 15-136**

**DISPOSITION AND RECORDS OF TRAFFIC CITATIONS,  
WARRANTS, AND COMPLAINTS**

A. Every Police Officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this State or any traffic law of this Town shall deposit the original and a duplicate copy of the citation with a Superior Officer, who shall cause the original to be delivered to the Municipal Court.

B. Upon the filing of the original citation in the Municipal Court, the citation may be disposed of only by trial in the Court or by other official action by a Judge of the Court, including forfeiture of bail or by payment of a fine.

C. The Chief of Police shall maintain a record of all warrants issued by the Municipal Court which are delivered to the Police Department for service, and of the final disposition of the warrants.

D. No member of the Police Department or other Officer or public employee shall dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this Article.

**SECTION 15-137**

**COURT RECORDS; ABSTRACT TO BE SENT TO STATE  
DEPARTMENT OF PUBLIC SAFETY**

A. The Municipal Court Clerk shall keep a record of every traffic citation deposited with or presented to the Court and shall keep a record of every official action by the Court or its Traffic Violations Bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture.

B. Within ten (10) days after the conviction or forfeiture of bail of a person upon a charge of violating any provisions of this Article or other law regulating the operation of vehicles on highways the Municipal Judge or Clerk of the Court in which the conviction was had or bail was forfeited shall prepare and immediately forward to the State Department of Public Safety a certified abstract of the Court's record of the case. An abstract need not be made of any conviction involving the illegal parking or standing of a vehicle.

C. The abstract must be made upon a form furnished by the State Department of Public Safety and shall include the name and address of the party charged, the number of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail was forfeited, and the amount of the fine or forfeiture.

**SECTION 15-138**

**ELUDING POLICE OFFICER PROHIBITED**

No person operating a motor vehicle who has received a visual or audible signal directing the operator to bring his vehicle to a stop shall wilfully increase his speed or extinguish his lights or

in any other manner attempt to or actually elude such Law Enforcement Officer. A visual or audible signal for the purpose of this Section means a red light and a siren from a Law Enforcement Officer driving a motor vehicle with insignia showing the same to be an official Police, Sheriff, or Highway Patrol Car.

**SECTION 15-139**            **ADOPTION OF STATE TRAFFIC CODE**

There is hereby adopted by reference all of the provisions of Chapters 10, 11, 12, 13, and 14 of the Oklahoma Highway Safety Code, all as found in *Title 47 of the Oklahoma Statutes*, except §§12-413 through 12-415 of *Title 47*, as more specifically hereafter set out. All of these provisions are hereby made a part of the Traffic Ordinance of the Town. All of the provisions found in these Chapters are hereby vitalized as provided in the laws by this Section, specific reference to which is hereby made, as well as all subsequent amendments to the laws, and all of the laws as well as amendments thereto shall be in full force and effect within the Town insofar as the same are not modified by other provisions in subsequent Ordinances. To the extent that the Oklahoma Highway Safety Code provides for seatbelt requirements and enforcement thereof in §§12-413 through 12-415 of *Title 47*, those Sections are specifically excluded herefrom.

**SECTION 15-140**            **INSURANCE OR CERTIFICATE REQUIRED**

A. The owner of a motor vehicle registered in this State and operating the vehicle within the Town's boundaries, shall carry in such vehicle at all times a current owner's security verification form listing the vehicle, or an equivalent form which has been used by the State Department of Public Safety which shall be produced by any driver thereof upon request for inspection by an Law Enforcement Officer and, in case of a collision, the form shall be shown upon request to any person affected by the collision.

B. The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the Department during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes:

1. Any vehicle owned or leased by the Federal or State Government, or any agency or political subdivision thereof;
2. Any vehicle bearing the name, symbol or logo of the business, corporation or utility on the exterior and which is in compliance with the Compulsory Insurance Law according to records of the Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy;
3. Any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission;
4. Any licensed taxicab; and
5. Any vehicle owned by a licensed motor vehicle dealer.

Traffic and Vehicles

C. For the purpose of this Section, the following terms shall have the meanings respectively ascribed to them in this Section:

1. "Owner's Policy" means an owner's policy of liability insurance which:
  - a. Shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted;
  - b. Shall insure the person named therein and insure any other person, except as provided in Subparagraph C of this paragraph, using an insured vehicle with the express or implied permission of the name insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, operation or use of such vehicle;
  - c. May provide for exclusions from coverage in accordance with existing laws; and
  - d. Shall be issued by an authorized carrier providing coverage in accordance with Section 7-204 of Title 47 of the Oklahoma Statutes;
2. "Operator's Policy" means an operator's policy of liability insurance which shall insure the named person against loss from the liability imposed upon him by law for damages arising out of the operation or use by him of any motor vehicle not owned by him, subject to the same limits of liability required in an owner's policy;
3. "Security" means:
  - a. A policy or bond meeting the requirements of Section 7-204 of Title 47 of the Oklahoma Statutes;
  - b. A deposit of cash or securities having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond; or
  - c. Self-insurance, pursuant to the provisions of Section 7-503 of Title 47 of the Oklahoma Statutes, having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond;
4. "Compulsory Insurance Law" means the law requiring liability insurance in conjunction with the operation of a motor vehicle in this State as found in Article VI, Chapter 7, and Section 7-606 of Title 47 of the Oklahoma Statutes;
5. "Security verification form" means a form, approved by the State Board for property and casualty rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma.

## Traffic and Vehicles

D. Every operator of a motor vehicle registered in this State, shall, while operating or using such vehicle within the Town's boundaries, carry either an operator's or an owner's security verification form issued by a carrier, providing the operator is not excluded from coverage thereon; or an equivalent form issued by the Department of Public Safety, reflecting liability coverage.

E. An owner or operator who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the Department upon request of any Peace Officer of the Department shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as provided in Section 1-108 of this Code.

F. A sentence imposed for any violation of this Section may be suspended or deferred in whole or in part by the Court.

G. Any person producing proof in Court that a current security verification form or equivalent form which has been issued by the Department reflecting this liability coverage for such person was in force at the time of the alleged offense shall be entitled to dismissal of such charge.

H. Upon conviction, bond forfeiture or deferral of sentence, the Court Clerk shall forward an abstract to the State Department of Public Safety within ten (10) days reflecting the action taken by the Court.

Traffic and Vehicles



**CHAPTER 2  
OPERATION OF VEHICLES GENERALLY, PARKING AND SPEEDING**

**SUBCHAPTER A  
GENERAL PROVISIONS**

<b>Section 15-201</b>	<b>Operation of Vehicles Generally</b>
<b>Section 15-202</b>	<b>Driver's License Required</b>
<b>Section 15-203</b>	<b>Vehicle License Required</b>
<b>Section 15-204</b>	<b>Unlicensed Vehicles</b>
<b>Section 15-205</b>	<b>Display of Inspection Sticker</b>
<b>Section 15-206</b>	<b>Starting a Parked Vehicle</b>
<b>Section 15-207</b>	<b>Drive on Right Side of Roadway; Exceptions</b>
<b>Section 15-208</b>	<b>Right-of-Way Generally</b>
<b>Section 15-209</b>	<b>When Overtaking on the Right is Permitted</b>
<b>Section 15-210</b>	<b>Passing Vehicle Proceeding in Same Direction</b>
<b>Section 15-211</b>	<b>Limitations on Overtaking on the Left; Exception</b>
<b>Section 15-212</b>	<b>Passing Vehicles Proceeding in Opposite Directions</b>
<b>Section 15-213</b>	<b>Following Too Closely</b>
<b>Section 15-214</b>	<b>No Passing Zones</b>
<b>Section 15-215</b>	<b>Following Fire Apparatus Prohibited</b>
<b>Section 15-216</b>	<b>Driving on Sidewalk</b>
<b>Section 15-217</b>	<b>Limitations on Backing</b>
<b>Section 15-218</b>	<b>Corner Cutting</b>
<b>Section 15-219</b>	<b>Emerging from Alley, Driveway or Building</b>
<b>Section 15-220</b>	<b>Child Passenger Restraints Required</b>
<b>Section 15-221</b>	<b>Driving Through Funeral or Other Procession Prohibited; Exceptions</b>
<b>Section 15-222</b>	<b>Drivers in a Procession</b>
<b>Section 15-223</b>	<b>Funeral Processions to be Identified</b>
<b>Section 15-224</b>	<b>Overtaking and Passing in School Zones</b>
<b>Section 15-225</b>	<b>Overtaking and Passing School Bus</b>
<b>Section 15-226</b>	<b>Attention to Driving Required</b>
<b>Section 15-227</b>	<b>Speed Contest Prohibited</b>
<b>Section 15-228</b>	<b>Permits Required for Parades and Processions</b>
<b>Section 15-229</b>	<b>Driving Through Safety Zone</b>
<b>Section 15-230</b>	<b>Obstructions to Driver's View or Driving Mechanism</b>
<b>Section 15-231</b>	<b>Boarding or Alighting from Vehicles</b>
<b>Section 15-232</b>	<b>Unlawful Riding</b>
<b>Section 15-233</b>	<b>Private Service Drives</b>
<b>Section 15-234</b>	<b>Designation of Truck Routes</b>
<b>Section 15-235</b>	<b>Loads on Vehicles</b>
<b>Section 15-236</b>	<b>Prohibited Use of Intoxicants</b>
<b>Section 15-237</b>	<b>Full Time and Attention to Driving</b>
<b>Section 15-238</b>	<b>New Drivers Prohibited From Using a Hand-held Device While Operating a Motor Vehicle</b>
<b>Section 15-239</b>	<b>Jacobs Engine Brake</b>

**SECTION 15-201      OPERATION OF VEHICLES GENERALLY**

Every person operating a vehicle in the Town shall at all times operate the vehicle in a prudent and careful manner and in compliance with the laws of the Town and State, having due regard for other vehicles, rights of pedestrians, and property of others.

**SECTION 15-202      DRIVER'S LICENSE REQUIRED**

It is unlawful for any person who does not have a driver's license as required by State Law for operation of a vehicle upon the State highways, to operate a motor vehicle within the Town, or to operate a motor vehicle within the Town in violation of any restriction applied to the driver's license.

**SECTION 15-203      VEHICLE LICENSE REQUIRED**

No person shall drive, propel, move, or park on the streets of this Town any motor vehicle, trailer, or semi-trailer unless the motor vehicle, trailer, or semi-trailer is licensed as required by State Law and the license is conspicuously displayed thereon.

**SECTION 15-204      UNLICENSED VEHICLES**

It is unlawful for any person to park any motor vehicle not bearing a current motor vehicle license tag or tags on any street or highway within the Town.

**SECTION 15-205      DISPLAY OF INSPECTION STICKER**

No motor vehicle shall be operated on the streets of this Town which does not have displayed thereon an official inspection sticker as required by Sections 851 through 861 of Title 47 of the Oklahoma Statutes, as amended.

**SECTION 15-206      STARTING A PARKED VEHICLE**

No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made in safety.

**SECTION 15-207      DRIVE ON RIGHT SIDE OF ROADWAY; EXCEPTIONS**

Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement; or

2. When the right half of a roadway is closed to traffic while under construction or repair.

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 right-hand lane when available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

### **SECTION 15-208    RIGHT-OF-WAY GENERALLY**

The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street, provided that the driver of a vehicle on a street which is not a State or Federal highway approaching an intersection with a State or Federal highway shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard. When two (2) vehicles enter or approach 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.

### **SECTION 15-209    WHEN OVERTAKING ON THE RIGHT IS PERMITTED**

A. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;
2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction; or
3. Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

B. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main traveled portion of the roadway.

### **SECTION 15-210    PASSING VEHICLE PROCEEDING IN SAME DIRECTION**

A. Except as provided in Section 15-503 of this Code, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. No vehicle shall be driven to the left side of the center of the roadway in

overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

B. Every driver who intends to pass another vehicle proceeding in the same direction, which requires movement of his vehicle from one lane of traffic to another, shall first see that such movement can be made with safety and shall proceed to pass only after giving a proper signal by hand or mechanical device.

C. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

State Law Reference: Similar provisions, *47 OS Sections 11-303, 11-305.*

#### **SECTION 15-211    LIMITATIONS ON OVERTAKING ON THE LEFT; EXCEPTION**

A. No vehicle shall be driven to the left side of the center of the street or roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

B. No vehicle at any time shall be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade, or upon a curve in the street or highway where the driver's view along the street or highway is obstructed; or
2. When approaching within one hundred (100) feet of any bridge, viaduct or tunnel or when approaching within fifty (50) feet of or traversing any intersection or railroad grade crossing.

#### **SECTION 15-212    PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS**

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

State Law Reference: Similar provisions, *47 OS Section 11-302.*

**SECTION 15-213    FOLLOWING TOO CLOSELY**

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

State Law Reference: Similar provisions, *47 OS Section 11-310*.

**SECTION 15-214    NO PASSING ZONES**

A. The State Department of Transportation, as regards State and Federal highways, and the Town Administrator, as regards all other streets, are hereby authorized to determine those portions of any highway where overtaking and passing to the left would be especially hazardous, and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver shall obey the directions thereof.

B. Where signs or markings are in place to define a no-passing zone as set forth in Subsection A of this Section, no driver shall at any time drive to the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark the no-passing zone throughout its length.

**SECTION 15-215    FOLLOWING FIRE APPARATUS PROHIBITED**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

**SECTION 15-216    DRIVING ON SIDEWALK**

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

**SECTION 15-217    LIMITATIONS ON BACKING**

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

**SECTION 15-218    CORNER CUTTING**

No person shall drive a vehicle through any service drive or upon any parking facility except with the intent of availing himself or herself of the services offered on the premises served by the service drive or parking facility. No person shall drive a vehicle through any service drive

or across any parking facility for the purpose of shortening their travel distance, avoiding a traffic-control device, avoiding using the streets for travel, or turning a vehicle so as to proceed in the opposite direction on the street from which it entered the drive.

**SECTION 15-219    EMERGING FROM ALLEY, DRIVEWAY OR BUILDING**

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

**SECTION 15-220    CHILD PASSENGER RESTRAINTS REQUIRED**

A. Every driver when transporting a child under four (4) years of age in a motor vehicle operated on the roadways, streets, or highways of this Town shall provide for the protection of the child by properly using a child passenger restraint system or a properly secured seat belt in the rear seat of the motor vehicle. For purposes of this Section, "child passenger restraint system" means an infant or child passenger restraint system that meets the Federal standards for crash-tested restraint systems as set by the United States Department of Transportation.

B. Children four (4) or five (5) years of age shall be protected by the use of a child passenger restraint system or a seat belt.

C. The provisions of this Section shall not apply to:

1. A nonresident driver transporting a child in this State;
2. The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to State or Federal laws;
3. The driver of an ambulance or emergency vehicle;
4. A driver of a vehicle if all of the seat belts in the vehicle are in use; and
5. The transportation of children who for medical reasons are unable to be placed in such devices.

D. A Law Enforcement Officer is hereby authorized to stop a vehicle if it appears that the driver of the vehicle has violated the provisions of this Section and to give an oral warning to the driver. The warning shall advise the driver of the possible danger to children resulting from the failure to install or use a child passenger restraint system or seat belt in the motor vehicle. If the driver of a vehicle has been previously warned and it appears there has been a violation of this Section, the Officer is empowered to stop the vehicle and issue a citation for the violation of this Section.

E. A violation of the provisions of this Section shall not be admissible as evidence in any civil action or proceeding for damages.

F. In any action brought by or on behalf of an infant for personal injuries or wrongful death sustained in a motor vehicle collision, the failure of any person to have the infant properly restrained in accordance with the provisions of this Section shall not be used in aggravation or mitigation of damages.

**SECTION 15-221**     **DRIVING THROUGH FUNERAL OR OTHER PROCESSION PROHIBITED; EXCEPTIONS**

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or Police Officers.

State Law Reference: Local powers to regulate processions, *47 OS Section 15-102*.

**SECTION 15-222**     **DRIVERS IN A PROCESSION**

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

**SECTION 15-223**     **FUNERAL PROCESSIONS TO BE IDENTIFIED**

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of such identifying insignia as may be determined and designated by the Police Department.

**SECTION 15-224**     **OVERTAKING AND PASSING IN SCHOOL ZONES**

A. No driver of a vehicle shall pass any other vehicle which is in motion and being driven in the same direction in any school zone between the hours of 8:00 a.m. and 4:00 p.m. on all days when schools are in session.

B. Wherever a school zone is located on a multiple lane street which is divided into three (3) or more clearly marked lanes for traffic or where the right half of the roadway has been divided into two (2) or more lanes, or on one-way streets, vehicles shall be allowed to pass slower moving vehicles being driven in the same direction where passing does not involve a change of lane movement.

**SECTION 15-225    OVERTAKING AND PASSING SCHOOL BUS**

The driver of a vehicle upon any street, roadway or highway upon meeting or overtaking from either direction any school bus which has stopped on or adjacent to the street, roadway or highway for the purpose of receiving or discharging any school children and other occupants, shall stop the vehicle immediately when the visual signals are in operation, as specified in Section 15-517 of this Code, and shall not pass the school bus until the visual signals are de-activated. The driver may then proceed past such school bus at a speed which is reasonable and prudent.

**SECTION 15-226    ATTENTION TO DRIVING REQUIRED**

The operator of every vehicle while driving shall devote his full time and attention to such driving.

**SECTION 15-227    SPEED CONTEST PROHIBITED**

A. No person shall engage in, aid or abet any motor vehicle speed contest or exhibition of speed on any street or highway.

B. No person shall for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest upon any street or highway, in any manner obstruct or place any barricade or obstruction upon any street or highway.

C. When three (3) or more persons assemble to witness or participate in an unlawful speed contest, such assembly is unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense.

**SECTION 15-228    PERMITS REQUIRED FOR PARADES AND PROCESSIONS**

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

State Law Reference: Local powers to regulate processions, *47 OS Section 15-102*.

**SECTION 15-229    DRIVING THROUGH SAFETY ZONE**

No vehicle shall at any time be driven through or within a safety zone or island.



**SECTION 15-230    OBSTRUCTIONS TO DRIVER'S VIEW OR DRIVING MECHANISM**

A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

B. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

**SECTION 15-231    BOARDING OR ALIGHTING FROM VEHICLES**

No person shall board or alight from any vehicle while such vehicle is in motion.

**SECTION 15-232    UNLAWFUL RIDING**

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

**SECTION 15-233    PRIVATE SERVICE DRIVES**

No vehicle or animal shall be driven through any private service driveway or private service area except for the purpose of obtaining service or merchandise.

**SECTION 15-234    DESIGNATION OF TRUCK ROUTES**

A. The Board of Trustees, by Motion or Resolution, may prescribe routes through the Town for the use of trucks in general, trucks of particular kinds or other vehicles which are not ordinary private passenger vehicles, passing through the Town. Appropriate and adequate signs shall be placed along such routes so that drivers of such vehicles may follow the routes.

B. When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been prescribed, as provided above, while passing through the Town, shall keep on such route and shall not deviate therefrom except in case of emergency. Drivers who must deviate from the prescribed routes for emergency or business shall use the shortest and most direct deviation from the prescribed route. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the Town and not merely through the Town.

C. No driver of a truck, tractor and trailer of more than four (4) wheels combined, except trucks commonly called pickups with six (6) wheels, shall deviate from prescribed routes through the Town.

D. The Board of Trustees shall see that appropriate and adequate signs are placed along such routes so that drivers of those vehicles herein prohibited may follow the prescribed routes.

**SECTION 15-235    LOADS ON VEHICLES**

No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, blowing or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.

**SECTION 15-236    PROHIBITED USE OF INTOXICANTS**

A. It is unlawful, and punishable as provided in Section 1-108 of this Code for any person under twenty-one (21) years of age to drive, operate, or be in actual physical control of a motor vehicle within the Town of Oologah who:

1. Has any measurable quantity of alcohol in the person's blood or breath at the time of a test administered within two (2) hours after an arrest of the person;
2. Exhibits evidence of being under the influence of any other intoxicating substance as shown by analysis of a specimen of the person's blood, breath, saliva, or urine in accordance with the provisions of Sections 752 and 759 of Title 47 of the Oklahoma Statutes; or
3. Exhibits evidence of the combined influence of alcohol and any other intoxicating substance.

B. As used in this section the term "other intoxicating substance" means any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes, or any other substance, other than alcohol, which is capable of being ingested, inhaled, injected, or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing, or other sensory or motor function.

C. Nothing in this section shall be construed to prohibit the filing of charges pursuant to Section 761 or 11-902 of Title 47 of the Oklahoma Statutes when the facts warrant.

**SECTION 15-237    FULL TIME AND ATTENTION TO DRIVING**

The operator of every vehicle, while driving, shall devote their full time and attention to such driving. No law enforcement officer shall issue a citation under this section unless the law enforcement officer observes that the operator of the vehicle is involved in an accident or observes the operator of the vehicle driving in such a manner that poses an articulable danger to other persons on the roadway that is not otherwise specified in statute.

**SECTION 15-238 NEW DRIVERS PROHIBITED FROM USING A HAND-HELD ELECTRONIC DEVICE WHILE OPERATING A MOTOR VEHICLE**

- A. No person who has been issued an intermediate Class D license for less than:
1. One (1) year; or
  2. Six (6) months, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions,

may use a hand-held electronic device while operating a motor vehicle for non-life-threatening emergency purposes or for violation of any traffic laws pertaining to the operation of a motor vehicle.

B. “Hand-held electronic device” means a mobile telephone or electronic device with which a user engages in a telephone call, plays or stores media, including, but not limited to, music and video, or sends or reads a text message while requiring the use of at least one hand; and “using a hand-held electronic device” means engaging any function on an electronic device.

**SECTION 15-239 JACOBS ENGINE BRAKE**

It shall be unlawful to operate or use a Jacobs Engine Brake, also known as a Jake Brake or other exhaust or an engine device without a muffler or with a malfunctioning muffler, as braking power or to slow down a vehicle’s rate of speed in the Town of Oologah, Oklahoma, except in emergencies. (Ord. No. 2004-    , 02/    /04)

Traffic and Vehicles

**SUBCHAPTER B  
SPEEDING REGULATIONS**

<b>Section 15-250</b>	<b>General Rule for Speed Regulations</b>
<b>Section 15-251</b>	<b>General Maximum Speed Limit</b>
<b>Section 15-252</b>	<b>School Zones</b>
<b>Section 15-253</b>	<b>Minimum Speed Requirements; Exception</b>
<b>Section 15-254</b>	<b>Proximity to Curb, Parallel Parking</b>
<b>Section 15-255</b>	<b>Illegal Parking Declared Public Nuisance</b>
<b>Section 15-256</b>	<b>Application of Standing or Parking Regulations</b>
<b>Section 15-257</b>	<b>Parking Time Limits May Be Established, Signs</b>
<b>Section 15-258</b>	<b>Parking More Than Twenty-Four (24) Hours</b>
<b>Section 15-259</b>	<b>Brakes; Motor Not to be Left Running; Unattended Vehicles</b>
<b>Section 15-260</b>	<b>Angle Parking, Designation</b>
<b>Section 15-261</b>	<b>Obedience to Angle Parking Rules</b>
<b>Section 15-262</b>	<b>Parking Prohibitions in Specific Areas</b>
<b>Section 15-263</b>	<b>Designation of Loading Zones</b>
<b>Section 15-264</b>	<b>Standing in Loading Zone</b>
<b>Section 15-265</b>	<b>Prohibition Against Selling Merchandise from Parked Vehicles</b>
<b>Section 15-266</b>	<b>Presumption in Reference to Illegal Parking</b>
<b>Section 15-267</b>	<b>Handicapped Parking</b>
<b>Section 15-268</b>	<b>Entry on Private Property; Trespass; Evidence; Burden of Proof</b>
<b>Section 15-269</b>	<b>Parking of Certain Commercial Vehicles on Public Streets in Residential and Commercial Areas</b>
<b>Section 15-270</b>	<b>Negligent Parking</b>
<b>Section 15-271</b>	<b>Right-Of-Way to Parallel Parking Space</b>
<b>Section 15-272</b>	<b>No Parking Zone</b>
<b>Section 15-273</b>	<b>Not to Park in Center of Street</b>

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**SECTION 15-250    GENERAL RULE FOR SPEED REGULATIONS**

A. Any person driving a vehicle on a street shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and any other condition then existing. No person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

B. The driver of every vehicle shall, consistent with the requirements of Subsection A, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when driving upon any narrow or winding roadway, and when special hazards exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions.

**SECTION 15-251    GENERAL MAXIMUM SPEED LIMIT**

No vehicle, unless otherwise specifically authorized by this Article, shall be driven at a speed greater than twenty-five (25) miles per hour upon any street within this Town. The Board of Trustees may determine that certain other speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof.

**SECTION 15-252    SCHOOL ZONES**

No vehicle shall be driven at a greater speed than that speed posted during the hours posted on any street adjacent to any school in a designated school zone on days when school is in session.

State Law Reference: Local authority to set speed limits, *47 OS Sections 15-102, 11-803.*

Cross Reference: Bicycle speed limit, Section 15-406; motorcycles, Section 15-514.

**SECTION 15-253    MINIMUM SPEED REQUIREMENTS; EXCEPTIONS**

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

**SECTION 15-254    PROXIMITY TO CURB, PARALLEL PARKING**

Every vehicle stopped or parked upon a roadway shall be so stopped or parked in the direction of lawful traffic movement with the curbside wheels of the vehicle parallel to and within eighteen (18) inches of the curb or roadway edge.

**SECTION 15-255    ILLEGAL PARKING DECLARED PUBLIC NUISANCE**

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

**SECTION 15-256    APPLICATION OF STANDING OR PARKING REGULATIONS**

The provisions of this Chapter shall not be applicable when it is necessary for a vehicle to stop to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic control device.

**SECTION 15-257    PARKING TIME LIMITS MAY BE ESTABLISHED, SIGNS**

The Mayor, subject to any directions which the Board of Trustees may give by Motion or Resolution, may establish parking time limits or prohibit parking on designated streets or parts of streets and have appropriate signs placed on the streets. When the signs are in place, it is unlawful for any person to park a vehicle in violation of the sign. No such time limits shall be effective unless a sign is erected and in place at the time of the alleged violation.

**SECTION 15-258    PARKING MORE THAN TWENTY-FOUR (24) HOURS**

No person shall park a vehicle on any street for a period of time longer than twenty-four (24) hours. This Section shall not affect parking limits established over shorter periods.

**SECTION 15-259    BRAKES; MOTOR NOT TO BE LEFT RUNNING; UNATTENDED VEHICLES**

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

**SECTION 15-260    ANGLE PARKING, DESIGNATION**

The Board of Trustees may determine upon what streets angle parking is permitted and shall direct the marking or signing of the streets. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street. Angle parking, for the purpose of this Part, shall mean parking at the curb at approximately a 45-degree angle between the right side of the vehicle and the curb.

**SECTION 15-261    OBEDIENCE TO ANGLE PARKING RULES**

A. On 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 the signs or markings with the front of the vehicle directed toward the curb or edge of the roadway.

B. No person shall park or stand a vehicle in angle parking spaces designated by markings upon the pavement unless the vehicle is positioned within the confines of an individually marked space. The vehicle shall not be of such length, or positioned in a manner, as to protrude

into the street a distance which would cause or require passing traffic to change lanes or drive on the left side of the street.

**SECTION 15-262    PARKING PROHIBITIONS IN SPECIFIC AREAS**

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police Officer or official traffic-control device, no person shall:

1. Stop, stand or park a vehicle:
  - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street except as authorized otherwise in this Section;
  - b. On a sidewalk;
  - c. Within an intersection;
  - d. On a crosswalk;
  - e. Along or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  - f. On any railroad tracks; or
  - g. At any place where official signs prohibit stopping or parking; or
2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
  - a. In front of a public or private driveway;
  - b. Within fifteen (15) feet along the curb or edge of the street thoroughfare of a fire hydrant when the vehicle operator is absent therefrom and would be unavailable to promptly remove same in the event of an emergency;
  - c. Within twenty (20) feet of a crosswalk at an intersection; except in marked parking spaces;
  - d. Within thirty (30) feet upon the approach to any flashing signal, stop sign or traffic-control signal located at the side of a roadway;
  - e. Within twenty (20) feet of the driveway entrance to any fire station; or
  - f. At any place where official signs prohibit standing.



**SECTION 15-263    DESIGNATION OF LOADING ZONES**

The Board of Trustees may determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this Section are applicable.

**SECTION 15-264    STANDING IN LOADING ZONES**

A. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zones are effective, and then only for a period not to exceed three (3) minutes.

B. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

C. The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of, and while actually engaged in, loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter the zone.

**SECTION 15-265    PROHIBITION AGAINST SELLING MERCHANDISE FROM PARKED VEHICLES**

It is unlawful for any person to park any vehicle upon a street in the Town and offer merchandise for sale therefrom. In addition to the penalty provided in this Part, the sale of merchandise from parked vehicles on streets in the Town is declared to be dangerous to traffic and to the persons congregating around the vehicle and constitutes a public nuisance.

**SECTION 15-266    PRESUMPTION IN REFERENCE TO ILLEGAL PARKING**

A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any law or regulation, together with proof that the Defendant named in the complaint was at the time of the parking the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and or the time during which, the violation occurred.

B. Any person who shall violate any of the provisions of this Section shall be guilty of an offense and upon conviction thereof shall be punishable as provided in Section 1-108 of this Code.

**SECTION 15-267    HANDICAPPED PARKING**

It is unlawful for any person to place or park a motor vehicle in any parking space on private property accessible to the public and where the public is invited or public property that is designated and posted as a reserved area for parking of motor vehicles of a physically disabled person unless such is eligible for a detachable insignia or reflective insignia as a physically disabled person under the provisions of Sections 15-112 or *149.3 of Title 47 of the Oklahoma Statutes*, and such insignias are displayed as provided in Sections 15-112 or *149.4 of Title 47 of the Oklahoma Statutes*, or regulations adopted pursuant thereto. (Ord. No. 2003-02, 4/7/03)

**SECTION 15-268    ENTRY ON PRIVATE PROPERTY; TRESPASS; EVIDENCE; BURDEN OF PROOF**

A. No persons shall make an entry with any vehicle upon real property owned or legally occupied by another without the owner's or occupant's consent except where such private property is provided as public parking and the general use of the property is not restricted by signs or proper markings.

B. Where entry is made upon real property owned or legally occupied by another without the owner's or occupant's consent, except on unrestricted public parking, and is complained of by the owner or legal occupant of the premises, the burden is put upon the person making the entry to show that permission for such entry was given.

**SECTION 15-269    PARKING OF CERTAIN COMMERCIAL VEHICLES ON PUBLIC STREETS IN RESIDENTIAL AND COMMERCIAL AREAS**

A. No person shall park any commercial vehicle, other than two (2) ton single axle classification or lighter, on any public street in any residential area.

B. No persons shall park any commercial vehicle, other than trucks of two (2) ton classification or lighter, on any public street in any commercial area during nighttime hours.

C. Notwithstanding the provisions of Subsections A and B above, a commercial vehicle may be parked so as not to create a traffic hazard during active loading or unloading.

D. The term "street" as used herein, shall mean the entire width between the curbs of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

State Law Reference: Parking rules, *47 OS Section 11-1004*.

**SECTION 15-270    NEGLIGENT PARKING**

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

1.     In a careless or negligent manner;
2.     In such a manner as to endanger life, limb, person or property; or
3.     In such manner as to endanger or interfere with the lawful traffic or use of the streets.

**SECTION 15-271    RIGHT-OF-WAY TO PARALLEL PARKING SPACE**

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

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

**SECTION 15-272    NO PARKING ZONE**

No parking zones will be designated by signs and markers. It is an offense to park any car, truck or vehicle in an area so designated at any time in the day or night, except in the event of an emergency that requires the same.

**SECTION 15-273    NOT TO PARK IN CENTER OF STREET**

A.     Center parking on the streets and roadways of the Town is hereby prohibited except as provided for in this Section.

B.     Commercial vehicles and vehicles used for the purpose of delivery may park in the center of streets and roadways for a reasonable period of time. Such authorized center street parking as set forth in this Section shall be conducted in such a manner as to not block intersections or alleyways or the normal flow of traffic. The drivers thereof shall be in close proximity to the vehicle and they shall immediately move their vehicle upon request or demand of any operator of an emergency vehicle or any Police Officer acting to clear the streets because of an emergency.

Traffic and Vehicles

**SUBCHAPTER C**

**TURNING AND SIGNALS**

<b>Section 15-280</b>	<b>Required Position, Method of Turning at Intersections</b>
<b>Section 15-281</b>	<b>Turns and U-Turns</b>
<b>Section 15-282</b>	<b>Turning, Stopping Signals Required</b>

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**SECTION 15-280    REQUIRED POSITION, METHOD OF TURNING AT INTERSECTIONS**

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

1.     Right Turns: Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway; or
  
2.     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 center line thereof and by passing to the right of such center line 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 center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to left of the center of the intersection.

**SECTION 15-281    TURNS AND U-TURNS**

A.     The Board of Trustees may determine those intersections at which drivers of vehicle shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the sign or they may be removed when such turns are permitted.

B.     Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

C.     In no event, may the driver of any vehicle turn that vehicle so as to proceed in the opposite or different direction upon a street, when such turn is made for the purpose of parking said vehicle in a lawfully marked parking space on the opposite side of the street, unless a U-turn is specifically permitted by authorized sign at that location.

**SECTION 15-282    TURNING, STOPPING SIGNALS REQUIRED**

A.     No person shall turn a vehicle to the right or left except upon giving a signal of intention, as provided in this Section, in the event any other traffic may be affected by such movement.

B.     A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning.

C.     No person shall stop or suddenly decrease the speed of a vehicle except upon the giving of a signal of intention, as provided herein, to the driver of any vehicle immediately to the rear when there is an opportunity to give such signal.

**CHAPTER 3  
TRAFFIC SIGNALS AND DEVICES**

<b>Section 15-301</b>	<b>Obedience to Devices</b>
<b>Section 15-302</b>	<b>Necessity of Signs</b>
<b>Section 15-303</b>	<b>Interference with Devices, or Signs or Signals</b>
<b>Section 15-304</b>	<b>Presumption of Legality</b>
<b>Section 15-305</b>	<b>Ratification of Existing Devices</b>
<b>Section 15-306</b>	<b>Traffic-Control Signal Legend</b>
<b>Section 15-307</b>	<b>Flashing Signals</b>
<b>Section 15-308</b>	<b>Driving within Traffic Lanes</b>
<b>Section 15-309</b>	<b>Designation of Through Streets</b>
<b>Section 15-310</b>	<b>Signs at Through Streets</b>
<b>Section 15-311</b>	<b>Procedures at Stop Signs</b>
<b>Section 15-312</b>	<b>Procedure at Yield Signs</b>

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**SECTION 15-301    OBEDIENCE TO DEVICES**

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this Part unless otherwise directed by a Traffic or Police Officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Part.

**SECTION 15-302    NECESSITY OF SIGNS**

No provision of the Part for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular Section does not state that official traffic-control devices are required, such Section shall be effective even though no devices are erected or in place.

**SECTION 15-303    INTERFERENCE WITH DEVICES, OR SIGNS OR SIGNALS**

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 thereon, or any other part thereof.

**SECTION 15-304    PRESUMPTION OF LEGALITY**

A. Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Article, such devices shall be presumed to have been so

placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

B. Any official traffic-control device placed pursuant to the provisions of this Article and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Article, unless the contrary shall be established by competent evidence.

**SECTION 15-305    RATIFICATION OF EXISTING DEVICES**

All traffic-control signs, signals, devices and markings placed or erected prior to the adoption of this Part and in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic-control devices, provided such traffic-control devices are not inconsistent with the provisions of this Article or State Law.

**SECTION 15-306    TRAFFIC-CONTROL SIGNAL LEGEND**

Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend. These lights shall indicate appropriate action and apply to drivers of vehicles and pedestrians as provided by applicable State Law.

**SECTION 15-307    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; or
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.

This Section shall not apply at railroad grade crossings.

**SECTION 15-308    DRIVING WITHIN TRAFFIC LANES**

A. Where traffic lanes have been marked, it shall be unlawful for the driver of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement or otherwise authorized by Ordinance.



B. Whenever any roadway has been divided into two (2) 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 first ascertained that such movement can be made with safety;

2. Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign posted to give notice of such allocation; and

3. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction, regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign.

#### **SECTION 15-309    DESIGNATION OF THROUGH STREETS**

The Board of Trustees may designate any street or part of a street as a through street.

#### **SECTION 15-310    SIGNS AT THROUGH STREETS**

Whenever a through street is designated by the Board of Trustees, the appropriate Town personnel shall be directed to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-control signals.

#### **SECTION 15-311    PROCEDURES AT STOP SIGNS**

A. Except when directed to proceed by a Police Officer or traffic-control signal, every driver of a vehicle approaching an intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event 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.

B. After having stopped at a stop sign, the driver of a vehicle shall yield the right-of-way to any vehicle which has entered the intersection from another street or which is approaching so closely on the street as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding.

**SECTION 15-312    PROCEDURE AT YIELD SIGNS**

The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk the driver shall stop at a clearly marked stop line, or if no stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. The driver approaching a yield sign shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. The driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding, provided, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

**CHAPTER 4  
BICYCLES**

<b>Section 15-401</b>	<b>Application of Bicycle Regulations</b>
<b>Section 15-402</b>	<b>Application of Traffic Laws to Bicycles</b>
<b>Section 15-403</b>	<b>Obedience to Traffic-Control Devices</b>
<b>Section 15-404</b>	<b>Riding on Bicycles</b>
<b>Section 15-405</b>	<b>Riding on Roadways and Bicycle Paths</b>
<b>Section 15-406</b>	<b>Speed of Bicycle</b>
<b>Section 15-407</b>	<b>Emerging from Alley or Driveway</b>
<b>Section 15-408</b>	<b>Carrying Articles</b>
<b>Section 15-409</b>	<b>Parking</b>
<b>Section 15-410</b>	<b>Riding on Sidewalks</b>
<b>Section 15-411</b>	<b>Lamps and Equipment on Bicycles</b>
<b>Section 15-412</b>	<b>Impoundment of Bicycles</b>
<b>Section 15-413</b>	<b>Play Streets, Authority to Establish</b>
<b>Section 15-414</b>	<b>Play Streets, Restriction on Use</b>

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**SECTION 15-401    APPLICATION OF BICYCLE REGULATIONS**

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

State Law Reference:    Bicycle rules, *47 OS Sections 11-1201, et seq.*

**SECTION 15-402    APPLICATION OF TRAFFIC LAWS TO BICYCLES**

Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this State and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this Chapter and except as to those provisions of laws and Ordinances which by their nature are inapplicable to such person.

**SECTION 15-403    OBEDIENCE TO TRAFFIC CONTROL DEVICES**

A.    Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles unless otherwise directed by a Police Officer.

B.    Whenever authorized signs are erected indicating no right or left or U-turn is permitted, no person operating a bicycle shall disobey the directions of such sign, except where

such person dismounts from the bicycle to make any such turn, in which event, such person shall then obey the regulations applicable to the pedestrians.

**SECTION 15-404    RIDING ON BICYCLES**

A.     No persons operating a bicycle shall ride other than astride a permanent and regular seat attached thereto.

B.     No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

**SECTION 15-405    RIDING ON ROADWAYS AND BICYCLE PATHS**

A.     Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

B.     Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

C.     If usable paths for bicycles are provided adjacent to a roadway, bicycle riders shall use such paths and shall not use the roadway.

**SECTION 15-406    SPEED OF BICYCLE**

No persons shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

**SECTION 15-407    EMERGING FROM ALLEY OR DRIVEWAY**

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

**SECTION 15-408    CARRYING ARTICLES**

No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand on the handle bars.

**SECTION 15-409    PARKING**

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against the building or at the curb in such a manner as to afford the least obstruction to pedestrian traffic.

**SECTION 15-410    RIDING ON SIDEWALKS**

A. No person shall ride a bicycle upon a sidewalk within a business district.

B. The Board of Trustees is authorized to have erected signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person; and when such signs are in place, no person shall disobey the same.

C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

**SECTION 15-411    LAMPS AND EQUIPMENT ON BICYCLES**

A. Bicycles in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

B. No persons shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

C. Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

**SECTION 15-412    IMPOUNDMENT OF BICYCLES**

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

**SECTION 15-413    PLAY STREETS, AUTHORITY TO ESTABLISH**

The Mayor, subject to any directions which the Board of Trustees may give, shall have authority to declare any street or part thereof a play street and to have placed appropriate signs or devices in the roadway indicating and helping to protect the same.

**SECTION 15-414    PLAY STREETS, RESTRICTION ON USE**

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

**CHAPTER 5  
MOTORCYCLES**

<b>Section 15-501</b>	<b>Operator to Ride on Permanent Seat</b>
<b>Section 15-502</b>	<b>Carrying Passengers</b>
<b>Section 15-503</b>	<b>Head Gear for Operators and Riders</b>
<b>Section 15-504</b>	<b>Windshield; Goggles or Face Shield for Operator</b>
<b>Section 15-505</b>	<b>Maximum Height of Handlebars</b>
<b>Section 15-506</b>	<b>Rear View Mirrors</b>
<b>Section 15-507</b>	<b>Brakes</b>
<b>Section 15-508</b>	<b>Lights Generally</b>
<b>Section 15-509</b>	<b>Stop Lamp</b>
<b>Section 15-510</b>	<b>Speedometer</b>
<b>Section 15-511</b>	<b>Fenders</b>
<b>Section 15-512</b>	<b>Rider Not to Hold to Other Moving Vehicles</b>
<b>Section 15-513</b>	<b>Passing Other Vehicles Between Traffic Lanes</b>
<b>Section 15-514</b>	<b>Speed Limit</b>

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**SECTION 15-501    OPERATOR TO RIDE ON PERMANENT SEAT**

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto.

State Law Reference: Similar provisions, *47 OS Section 11-1103*.

**SECTION 15-502    CARRYING PASSENGERS**

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

State Law Reference: Similar provisions, *47 OS Section 40-103*.

**SECTION 15-503    HEAD GEAR FOR OPERATORS AND RIDERS**

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

State Law Reference: Similar provisions applying to persons under 21 years of age, *47 OS Section 40-105(G)*.

**SECTION 15-504    WINDSHIELD; GOGGLES OR FACE SHIELD FOR OPERATOR**

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

State Law Reference: Similar provisions, *47 OS Section 40-105(B)*.

**SECTION 15-505    MAXIMUM HEIGHT OF HANDLEBARS**

Handlebars on motorcycles shall not exceed twelve (12) inches in height, measured from the crown or point of attachment.

State Law Reference: Similar provisions, *47 OS Section 40-103*.

**SECTION 15-506    REAR VIEW MIRRORS**

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

State Law Reference: Similar provisions, *47 OS Section 40-105(A)*.

**SECTION 15-507    BRAKES**

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

State Law Reference: Similar provisions, *47 OS Section 40-105(C)*.



**SECTION 15-508    LIGHTS GENERALLY**

Every motorcycle operated on streets shall be equipped with at least one (1) lighted head lamp capable of showing a white light visible at least three hundred (300) feet to the front. Lights required by this Section shall be burning whenever such vehicles are in motion during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet.

State Law Reference: Similar provisions, *47 OS Section 40-105(F)*.

**SECTION 15-509    STOP LAMP**

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

State Law Reference: Similar provisions, *47 OS Section 40-0105(C)*.

**SECTION 15-510    SPEEDOMETER**

All motorcycles operated in streets shall be equipped with a properly operating speedometer capable for registering at least the maximum legal speed limit for the vehicle.

State Law Reference: Similar provisions, *47 OS Section 40-105(D)*.

**SECTION 15-511    FENDERS**

All motorcycles operated on streets shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer.

State Law Reference: Similar provisions, *47 OS Section 40-105(E)*.

**SECTION 15-512    RIDER NOT TO HOLD TO OTHER MOVING VEHICLES**

No rider of a motorcycle shall hold to any other moving vehicle for the purpose of being propelled.

State Law Reference: Similar provisions, *47 OS Section 40-103*.

**SECTION 15-513    PASSING OTHER VEHICLES BETWEEN TRAFFIC LANES**

No driver of a motorcycle shall pass other vehicles in between lanes of traffic traveling in the same direction, authorized emergency vehicles excepted.

State Law Reference: Similar provisions, *47 OS Section 40-103*.

**SECTION 15-514    SPEED LIMIT**

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

State Law Reference: Similar provisions, *47 OS Section 40-104*.

**CHAPTER 6**

**IMPOUNDMENT OF VEHICLES**

<b>Section 15-601</b>	<b>Purpose and Effect of Impoundment Provisions</b>
<b>Section 15-602</b>	<b>Abandonment of Inoperable Motor Vehicles</b>
<b>Section 15-603</b>	<b>Place of Impoundment</b>
<b>Section 15-604</b>	<b>Duration of Impoundment</b>
<b>Section 15-605</b>	<b>Police Granted Authority to Impound Vehicles</b>
<b>Section 15-606</b>	<b>Disabled Vehicles</b>
<b>Section 15-607</b>	<b>Vehicles on Bridge</b>
<b>Section 15-608</b>	<b>Arrest and Detention of Driver of Vehicle</b>
<b>Section 15-609</b>	<b>Vehicle Constitutes Traffic Hazard</b>
<b>Section 15-610</b>	<b>Illegal Trespass by Vehicle</b>
<b>Section 15-611</b>	<b>Vehicles Parked Overtime</b>
<b>Section 15-612</b>	<b>Vehicles Blocking Fire Exits or Hydrants</b>
<b>Section 15-613</b>	<b>Vehicles Parked in Intersection</b>
<b>Section 15-614</b>	<b>Stolen Vehicles; Recovery by Police</b>
<b>Section 15-615</b>	<b>Vehicles with Outstanding Traffic Citations</b>
<b>Section 15-616</b>	<b>Inventory of Impounded Vehicles</b>

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**SECTION 15-601    PURPOSE AND EFFECT OF IMPOUNDMENT PROVISIONS**

The impoundment of vehicles under authority of the provisions of this Article shall be construed as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations, protection of the public rights in the use of streets and thoroughfares from obstructions placed and left in derogation of those rights, and for safeguarding and protecting recovered stolen vehicles.

**SECTION 15-602    ABANDONMENT OF INOPERABLE MOTOR VEHICLES**

It is unlawful for any person to abandon on the streets any inoperable motor vehicle or junk motor vehicle or any major part or portion thereof.

**SECTION 15-603    PLACE OF IMPOUNDMENT** (Ord. No. 2014-03, 11/17/14)

A. The wrecker vehicle used to perform wrecker or towing services requested by the Town of Oologah for removal of a vehicle from public property shall be alternated or rotated among all such licensed or towing services whose impound facilities are located in or near the Town limits of Oologah; who present proper documentation and who request to be added to the rotation. All such licensed wrecker or towing services located near or in the Town limits of the

Town of Oologah shall be considered as being equal distance and shall be called on an annual basis as nearly as possible. The Police Chief of the Town of Oologah shall keep rotation logs on all requested tows, except where there are insufficient licensed wreckers or towing services available to rotate such services. Rotation logs shall be made available for public inspection upon request. Any calls made from cell phones or two-way radios by any law enforcement officer or employee of the Town Oologah to any wrecker service shall be listed on the rotation or all log and made available for public inspection. A wrecker service shall not be removed from rotation without notification to the wrecker operator stating the reason for removal from the rotation log. All notification for removal from a rotation log shall be mailed to the wrecker servicer owner at least ten (10) days before removal from the rotation log and shall state the procedure and requirements for reinstatement.

B. Any wrecker or towing service requesting to be placed upon the official rotation log for the performance of serviced carried out under the terms of this Chapter must meet the following requirements:

1. Principle business facilities are located within Oklahoma;
2. Tow trucks are registered and licensed in Oklahoma; and
3. Owner is a resident of the State of Oklahoma or the services are an Oklahoma cooperation.

#### **SECTION 15-604 DURATION OF IMPOUNDMENT**

A. Except as otherwise provided, any vehicle impounded under the authority of this Article shall be stored and held safely until an order for its release is received from an Officer of the Traffic Violations Bureau or other proper Police Officer.

B. The order of release of an impounded vehicle shall be conditioned upon the payment by the person to whom the release is issued of all impoundment costs and accrued storage charges assessed against the vehicle.

#### **SECTION 15-605 POLICE GRANTED AUTHORITY TO IMPOUND VEHICLES**

Members of the Police Department are hereby authorized within the limits set forth in this Article to impound vehicles under the circumstances hereinafter enumerated. No impoundment shall be valid unless made under order of an authorized Police Officer and in strict adherence with the procedures required in this Article.

#### **SECTION 15-606 DISABLED VEHICLES**

A disabled vehicle upon a street or highway may be impounded under the following circumstances:

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1. If left unattended and improperly parked on a street or highway and constitutes a definite hazard or obstruction to the normal movement of traffic; or

2. If the person in charge of the vehicle is physically incapacitated to such extent as to be unable to provide for its custody or removal and the vehicle is so disabled as to constitute an obstruction to traffic or a hazard.

### **SECTION 15-607    VEHICLES ON BRIDGE**

An unattended vehicle left upon any bridge, viaduct or causeway or in any tube or tunnel, where the vehicle constitutes an obstruction to traffic or hazard, may be impounded.

### **SECTION 15-608    ARREST AND DETENTION OF DRIVER OF VEHICLE**

Whenever the driver or person in charge of any vehicle is placed under arrest and taken into custody and detained by Police under circumstances which leaves or will leave a vehicle unattended on any street or highway, the vehicle may be impounded.

### **SECTION 15-609    VEHICLE CONSTITUTES TRAFFIC HAZARD**

A vehicle left unattended upon any street, alley or thoroughfare and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic shall be impounded.

### **SECTION 15-610    ILLEGAL TRESPASS BY VEHICLE**

A. An unattended vehicle found to be in violation of this Code may be impounded when the required complaint has been properly made and filed as provided in this Section.

B. If a violation of the provisions of this Code occurs, the owner or legal occupant who complains shall sign a complaint against the person parking the vehicle on the owner's or legal occupant's property, or if the identity of the person parking the vehicle is unknown, then the complaint may be filed against the registered owner of the vehicle. The complaint shall be verified and shall allege that the complaining party is the owner or legal occupant of the property upon which the vehicle is parked or standing.

C. Upon filing of the complaint by the property owner or legal occupant, and if there appears to be proper cause to believe the provisions of this Code have been violated, the Police Department shall cause the vehicle to be impounded from the property and placed in storage.

**SECTION 15-611    VEHICLES PARKED OVERTIME**

Any unattended vehicle which has been parked for more than one (1) hour in excess of the time allowed for parking in any place shall be impounded, and any vehicle parked in violation of this Code regarding more than twenty-four (24) hours, shall be impounded.

**SECTION 15-612    VEHICLES BLOCKING FIRE EXITS OR HYDRANTS**

Any vehicle illegally parked in such a manner that it blocks a fire escape ladder, device or exit or blocks ready access to a fire hydrant shall be impounded.

**SECTION 15-613    VEHICLES PARKED ON INTERSECTION**

Any unattended vehicle illegally parked in any street intersection shall be impounded. A disabled vehicle in an intersection with the person in charge of the vehicle being present, shall be moved out of the intersection and to the nearest available legal parking space at the street curbing.

**SECTION 15-614    STOLEN VEHICLES; RECOVERY BY POLICE**

A. Whenever a stolen vehicle is located by Police and the registered owner cannot be found within a reasonable time not exceeding one (1) hour, or cannot be determined from the registration papers or other identifying media in the vehicle or from records or information available from reports of stolen cars, the vehicle may be removed to the nearest authorized place of impoundment and the registered owner of the vehicle shall be notified of the location of the place of impoundment as soon as possible by the Police Department.

B. If the registered owner is identified, located and notified of the recovery of the stolen vehicle, the owner shall be given the right to make his own arrangements for the removal of the vehicle within the period of one (1) hour from the time he is actually notified of its recovery, and if the owner is unable or unwilling to effect the removal within the time specified the vehicle may be impounded.

**SECTION 15-615    VEHICLES WITH OUTSTANDING TRAFFIC CITATIONS**

Any vehicle for which two (2) or more citations have been issued, for violation of an Ordinance, and have not been presented, as required, may be impounded if parked in violation of any provision of this Part.

**SECTION 15-616    INVENTORY OF IMPOUNDED VEHICLES**

Any vehicle impounded for any reason shall be inventoried by two (2) or more persons for the protection of the owner and his property, the protection of Town Law Enforcement personnel, and the protection of the garage or wrecker service moving or holding the vehicle.

**CHAPTER 7**

**PEDESTRIANS**

<b>Section 15-701</b>	<b>Pedestrians Subject to Traffic Control Signals</b>
<b>Section 15-702</b>	<b>Pedestrians Right-of-Way at Crosswalks</b>
<b>Section 15-703</b>	<b>Pedestrians to Use Right Half of Crosswalk</b>
<b>Section 15-704</b>	<b>Crossing at Right Angles</b>
<b>Section 15-705</b>	<b>When Pedestrians Shall Yield</b>
<b>Section 15-706</b>	<b>Pedestrians Walking Along Roadways</b>
<b>Section 15-707</b>	<b>Pedestrians Prohibited from Soliciting Rides, Business or Donations from Vehicle Occupants</b>
<b>Section 15-708</b>	<b>Drivers to Exercise Due Care</b>
<b>Section 15-709</b>	<b>Crossing Prohibited</b>

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**SECTION 15-701    PEDESTRIANS SUBJECT TO TRAFFIC CONTROL SIGNALS**

Pedestrians are subject to traffic control signals as provided for in this Code, but at all other places pedestrians are granted those rights and are subject to the restrictions stated in this Chapter.

State Law Reference: Pedestrian rights and duties, *47 OS Sections 11-501 to 11-507.*

**SECTION 15-702    PEDESTRIANS RIGHT-OF-WAY AT CROSSWALKS**

A. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way slowing down or stopping, if need be, to so yield to a pedestrian crossing the roadway within a crosswalk when:

1. The pedestrian is upon the half of the roadway upon which the vehicle is traveling; or
2. The pedestrian is approaching so closely from the opposite edge of the roadway as to be in danger.

The provisions of the Subsection are not applicable under conditions where pedestrians are required to yield pursuant to this Chapter.

B. No pedestrian shall suddenly leave a curb or other place of safety to walk or run into the path of the vehicle which is so close that it is impossible for the driver to yield.

C. Whenever any vehicle is stopped at a marked crosswalk, or any unmarked crosswalk, or at an intersection to permit a pedestrian to cross a roadway, the driver of any other vehicle approaching from the rear shall not overtake to pass such stopped vehicle.

**SECTION 15-703 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK**

Pedestrians, when crossing the street at a crosswalk, shall move, whenever practicable, upon the right half of the crosswalk.

**SECTION 15-704 CROSSING AT RIGHT ANGLES**

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

**SECTION 15-705 WHEN PEDESTRIANS SHALL YIELD**

A. Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk at any intersection shall yield the right-of-way to all vehicles upon the roadway.

B. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

C. The provisions of this Section are not applicable where pedestrian crossings are prohibited.

**SECTION 15-706 PEDESTRIANS WALKING ALONG ROADWAYS**

A. Where sidewalks are provided it is unlawful for any pedestrian to walk along and upon an adjacent roadway.

B. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practical, walk only on the left side of the roadway, or its shoulder, facing traffic which may approach from the opposite direction, and shall yield to approaching vehicles.

**SECTION 15-707 PEDESTRIANS PROHIBITED FROM SOLICITING RIDES, BUSINESS OR DONATIONS FROM VEHICLE OCCUPANTS**

A. No person shall stand in a roadway for the purpose of soliciting a ride, donations, employment or business from the occupant of any vehicle.

B. No person shall:



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1. Stand in any street, roadway or park and stop or attempt to stop and engage any person in any vehicle for the purpose of soliciting contributions or the watching or guarding of any vehicle while parked or about to be parked on a street;
2. Sell or attempt to sell anything to any person in any vehicle;
3. Hand or attempt to hand to any person in any vehicle, any circular, advertisement, handbill or any political campaign literature, or any sample, souvenir or gift; or
4. In any other manner, while standing in the street or roadway, attempt to interfere with the normal flow of traffic for any other similar purpose.

### **SECTION 15-708    DRIVERS TO EXERCISE DUE CARE**

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

### **SECTION 15-709    CROSSING PROHIBITED**

Between adjacent intersections, at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk. Pedestrians shall not cross any divided highway having a median in the center thereof, except in a crosswalk.

Traffic and Vehicles

**CHAPTER 8**

**PENALTIES**

**Section 15-801      Penalty for Violations**

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**SECTION 15-801      PENALTY FOR VIOLATIONS**

Any violations of the provisions of this Part shall be punishable as provided in Section 1-108 of this Code.

Traffic and Vehicles