

PART 15 – TRAFFIC AND VEHICLES

CHAPTER 1

GENERAL PROVISIONS

SECTION — DESCRIPTION

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SECTION 15-101 CITATION

This part shall be known and may be cited as the town's traffic code.

Cross Reference: See also Part 10 of this code on Offenses.

SECTION 15-102 DEFINITIONS

A. As used in this chapter, the following terms shall have the meanings respectively ascribed to them in this section:

- **“Alley”** means any narrow public passageway or street ordinarily located in the interior portion of platted blocks, having no legal or official name other than alley, as herein defined, and ordinarily open to traffic and used for service or delivery purposes to the rear of stores, dwellings or buildings;
- **“Arterial street”** means any U.S. or state numbered route, controlled-access highway or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways;
- **“Authorized emergency vehicle”** means a vehicle of the fire department, police department or other law enforcement agencies, state and national, ambulances, and such other emergency vehicle of municipal departments or public service corporations as are

authorized by the chief of police, and all of which are equipped with sirens and with red lights displayed openly on the front when engaged in emergency runs;

- **“Bicycle”** means every device propelled by human power upon which any person may ride, having two (2) tandem wheels;
- **“Boulevard” or “through street”** means any street or highway or portion thereof designated by ordinances of the town which require vehicles to come to a full and complete stop before entering such street or highway from intersecting streets or highways;
- **“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;
- **“Bus loading zone”** means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers;
- **“Business district”** means the territory contiguous to and including a highway when within any six hundred (600) feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations or public buildings which occupy at least three hundred (300) feet of frontage on one side or three hundred (300) feet collectively on both sides of the highway;
- **“Commercial chauffeur” and “chauffeur”** mean:
 - *Commercial chauffeur* means every person who operates a motor vehicle while in use as a common carrier of persons or property; and
 - *Chauffeur* means every person who is employed by another for the principal purpose of operating a motor vehicle and every person who operates a motor vehicle of one ton or more rated capacity that is required by law to have a commercial tag attached thereto and every person who operates a school bus transporting schoolchildren to and from school;
- **“Commercial vehicles”** means vehicles designed primarily for the transportation of persons or property for hire;
- **“Crosswalk”** means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;
- **“Curb loading zones”** means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, freight or materials;
- **“Curbs”** means the edge of a roadway marked or understood as such;
- **“Daytime”** means one-half (½) hour before sunrise until one-half (½) hour after sunset. *Nighttime* means any other time;
- **“Double park”** means the standing or stopping of a vehicle, whether occupied or not, on the roadway;
- **“Driver”** means every person who drives or is in actual physical control of a vehicle;
- **“Emergency”** means a condition suddenly created, requiring immediate action for the preservation of public peace, health or safety, and among other things particularly means any fire, unusual storm, death, riot or unusual traffic condition;

- **“Explosives”** means any chemical compound, mixture or device, including “fireworks,” the primary or common purpose of which is to function by explosion, i.e., with substantially instantaneous release of gas and heat, unless such compound, mixture or device is otherwise specifically classified by the Interstate Commerce Commission. The term “explosives classified by the Interstate Commerce Commission” includes but is not limited to dynamite, black powder, pellet powders, initiating explosives, blasting caps, electric blasting caps, safety fuses, fuse lighters, fuse igniters, squibs, detonating cord or detonating fuse, instantaneous fuses, igniter cords, igniters, and some special fireworks. *Commercial explosives* are those which are intended to be used in commercial or industrial operations.
- **“Flammable liquid”** means liquid which has a flash point of seventy (70) degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device and having a vapor pressure not exceeding forty (40) psi at one hundred (100) degrees Fahrenheit;
- **“Intersection”** means:
 1. The area embraced within the prolongation or connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; or
 2. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection;
- **“Laned roadway”** means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic;
- **“License to operate a motor vehicle”** means any operator’s, commercial chauffeur’s license or any other license or permit to operate a motor vehicle issued under the laws of this state including:
 - Any temporary license or instruction permit;
 - The privilege of any person to drive a motor vehicle whether or not such person holds a valid license; or
 - Any nonresident’s operating privilege as defined herein;
- **“Metal tire”** means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material;
- **“Motor vehicle”** means every vehicle which is self-propelled and every vehicle not operated upon rails;
- **“Motor vehicle accident”** is defined and classified as in *Manual on Classification of Motor Vehicle Traffic Accidents* prepared by the Committee on Uniform Traffic Accident Statistics, Traffic Conference, and distributed by the National Safety Board of Trustees;
- **“Motorcycle”** means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor;
- **“Motor-driven cycle”** means every motorcycle, including every motor scooter or bicycle, equipped with a motor which produces not to exceed five (5) brake horsepower

at full throttle without a governor as determined by a dynamometer test and designed to travel on not more than three (3) wheels in contact with the ground;

- **“Muffler”** means a device designed for the use on a particular internal-combustion engine and properly affixed thereto for the purpose of reducing the exhaust noise of such engine to an unobjectionable level;
- **“Official traffic-control devices”** means all signs, barricades, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic which conforms to the latest edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, published by the U.S. Department of Transportation, a copy of which is on file;
- **“Operator”** means every person, other than a commercial chauffeur or chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle;
- **“Owner”** means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;
- **“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;
- **“Passenger”** means a rider in any vehicle other than the driver;
- **“Pedestrian”** means any person afoot;
- **“Police officer”** means every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations;
- **“Private road or driveway”** means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons;
- **“Railroad”** means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails;
- **“Railroad train”** means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;
- **“Registration”** means the registration certificates and registration plates issued under the laws of this state pertaining to the registration of vehicles;
- **“Residence district”** means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business;
- **“Revocation of driver’s license”** means the termination by formal action of the department of a person’s driver’s license or privilege to operate a motor vehicle on the public highways;
- **“Right-of-way”** means the privilege of the immediate use of the roadway;

- **“Road tractor”** means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn;
- **“Roadway”** means that portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of the shoulder. In the event a highway includes two (2) or more separate roadways, the term “roadway” as used herein refers to any such roadway separately but not to all such roadways collectively;
- **“Safety zone” or “island”** means an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected at all times while set apart as a safety zone or island;
- **“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. This definition shall not include buses normally used in town transit which may be used part-time for transportation of schoolchildren within the town during some portion of the day;
- **“Semitrailer”** means every vehicle with or without motive power other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests or is carried by another vehicle;
- **“Shoulder”** means the portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses;
- **“Sidewalk”** means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians;
- **“Solid tire”** means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load;
- **“Stand” or “standing”** means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers;
- **“Stop,” when required** means complete cessation from movement;
- **“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 directions of a police officer or signal;
- **“Street” or “highway”** means all streets, highways, avenues, boulevards, parkways, roads, lanes, viaducts, bridges and the approaches thereto, alleys, courts, places, squares, curbs, sidewalks, recreation and park lands used for vehicular traffic, or other parkways or thoroughfares in this town, over which it has jurisdiction, which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state;
- **“Suspension of driver’s license”** means the temporary withdrawal by formal action of the department of a person’s driver’s license or privilege to operate a motor vehicle on the public highways;
- **“Taxicab”** means a motor vehicle regularly engaged in the business of carrying passengers for hire and having a seating capacity of less than six (6) persons and not operated on a fixed route;

- **“Through street or highway”** means every street or highway or portion thereof on which vehicle traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting streets or highways is required by law to yield the right-of-way to vehicles on such through street or highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter;
- **“Traffic”** means pedestrians, ridden or herded animals, vehicles and other conveyances, either single or together, while using any highway for purposes of travel;
- **“Traffic-control signal”** means any device, whether manually, electrically or mechanically operated, by which traffic is alternatively directed to stop, proceed or proceed with caution;
- **“Traffic lane”** means the portion of the traveled way for the movement of a single line of vehicles;
- **“Trailer”** means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle;
- **“Truck”** means every motor vehicle designed, used or maintained primarily for the transportation of property;
- **“U-turn”** means turning a vehicle around so as to proceed in the opposite direction;
- **“Urban district”** means the territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter of a mile or more;
- **“Vehicle”** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks; and
- **“Yield”** means the yielding of the right-of-way to all vehicles or pedestrians approaching from the right or left intersecting street which are so close as to constitute an immediate hazard.

SECTION 15-103 SECURITY VERIFICATION FORM

A. The owner of a motor vehicle registered in this state 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 issued by the Department of Public Safety and shall produce such form upon request for inspection by any law enforcement officer or representative of the Department of Public Safety, and, in the case of collision, the form shall be shown upon request to any person affected by such 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 of Public Safety during operation of the vehicle:

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 a business, corporation or utility on the exterior, and which is in compliance with provisions of Sections 7-600 through 7-607 of Title 47 of the Oklahoma Statutes, according to the records of the State Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy;
3. Any vehicle authorized for operation pursuant to a permit number issued by the Interstate Commerce Commission or the Corporation Commission;
4. Any licensed taxicab; and
5. Any vehicle owned by a licensed motor vehicle dealer.

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

- **“Owner’s Policy”** means an owner’s policy of liability insurance which:
 1. Shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted;
 2. Shall insure the person named therein and insure any other person, except as provided in Subparagraph C of this paragraph, using an insured vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, operation or use of such vehicle;
 3. May provide for exclusions from coverage in accordance with existing laws; and
 4. Shall be issued by an authorized carrier providing coverage in accordance with Section 7-204 of Title 47 of the Oklahoma Statutes;
- **“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;
- **“Security”** means:
 1. A policy or bond meeting the requirements of Section 7-204 of Title 47 of the Oklahoma Statutes;
 2. 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
 3. 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;
- **“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; and
- **“Security verification form”** means a form, approved by the State Board for Property and Casualty Rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma.

D. Every operator of a motor vehicle registered in this state shall, while operating or using such vehicle within the 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 State 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 1-119 of this code and court costs.

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 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.

State Law Reference: Similar provisions, 47 O.S. §§ 7-601 et seq.

SECTION 15-104 VEHICLE OWNER NOT TO PERMIT OR AUTHORIZE VIOLATION OF LAW OR THIS CHAPTER

It is unlawful for any person to authorize or knowingly permit a motor vehicle owned by him, or under his control, to be driven upon any street in the town by any person who is not authorized to drive a motor vehicle under the laws of the state, or to be driven or to stand or to be parked in violation of any provision of this part.

SECTION 15-105 PARENT OR GUARDIAN NOT TO AUTHORIZE OR PERMIT CHILD OR WARD TO VIOLATE CHAPTER

It is unlawful for a parent of a child or the guardian of a ward to authorize or knowingly permit any such child or ward to violate any provision of this part.

SECTION 15-106 ADOPTION OF STATE VEHICLE LAWS

There is hereby adopted and incorporated herein by reference the State Motor Vehicle Code, Sections 1-101 et seq. of Title 47 of the Oklahoma Statutes, and the State "Rules of the Road," Sections 10-101 et seq. of Title 47 of the Oklahoma Statutes, and all other misdemeanor traffic

and motor vehicle violations in Title 47 of the Oklahoma Statutes, as now exist and as may be from time to time amended. Such state laws as adopted herein by reference shall be fully enforceable by the town within the town limits as fully as if set out at length herein.

SECTION 15-107 JURISDICTION

The provisions of this part shall apply and be enforced on all roads, streets and highways within the town and on all roads, streets and highways forming the boundary lines of the town.

CHAPTER 2

TRAFFIC-CONTROL DEVICES

SECTION — DESCRIPTION

- 15-201 Authority to install traffic-control devices
 - 15-202 Design and construction of traffic-control devices; manual of specifications
 - 15-203 Traffic signs required for enforcement
 - 15-204 Obedience to official traffic-control devices
 - 15-205 Traffic control signal legend
 - 15-206 Pedestrian-control signals
 - 15-207 Flashing signals
 - 15-208 Pedestrian-activated school crossing signals
 - 15-209 Display of unauthorized signs or signals
 - 15-210 Defacing or removing traffic-control devices
 - 15-211 Designation of crosswalks and safety zones
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SECTION 15-201 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES

The town personnel, subject to direction of the board of trustees, shall have placed and maintained traffic-control signs, signals and devices when and as required under the traffic ordinances of this town to make effective the provisions of such ordinances, and may have placed and maintained such additional traffic-control signs, signals and devices as it may deem necessary to regulate traffic under the traffic ordinances of this town or under state law or to guide or warn traffic. The town personnel may have traffic-control devices tested under actual conditions of traffic.

State Law References: Traffic-control devices generally, 47 O.S. § 11-201 et seq.; power of town to maintain traffic-control devices, 47 O.S. § 16-106.

SECTION 15-202 DESIGN AND CONSTRUCTION OF TRAFFIC-CONTROL DEVICES; MANUAL OF SPECIFICATIONS

All traffic-control signs, signals and devices shall conform to the latest edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways* as published by the Oklahoma Department of Transportation. All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the town. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.

State Law Reference: Uniform manual adopted by state, state approval required on state highways, 47 O.S. §§ 15-104 to 15-106.

SECTION 15-203 TRAFFIC SIGNS REQUIRED FOR ENFORCEMENT

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign was not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

SECTION 15-204 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES

The driver of any vehicle shall obey the instructions of any official traffic-control device unless otherwise directed by a police officer, subject to the exceptions granted in this chapter to the driver of an authorized emergency vehicle.

SECTION 15-205 TRAFFIC CONTROL SIGNAL LEGEND

A. Whenever traffic is controlled by traffic-control signals exhibiting the word “Go,” “Caution” or “Stop,” or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used, and the terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. **Green alone or “Go”:**

- Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign or barricade prohibits such turn. Vehicles shall yield to other vehicles and pedestrians lawfully within the intersection or an adjacent crosswalk.
 - Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
2. **Steady yellow alone:**
- Vehicular traffic facing the signal is warned that the red or “Stop” signal will be exhibited immediately thereafter and shall not enter or cross the intersection when red is shown.
 - Pedestrians are advised that there is sufficient time to cross, but any pedestrian then starting to cross shall yield the right-of-way to all vehicles.
3. **Steady red alone or “Stop”:**
- Vehicular traffic shall stop before entering the crosswalk or intersection and remain stopped until green or “Go” is shown.
 - Vehicles in the right lane may, after stopping, cautiously make a right turn unless “No Turn On Red” signs are posted. Such vehicles must yield to pedestrians and other traffic.
 - Pedestrians shall not enter the roadway until the green or “Go” is shown or until authorized by a “Walk” signal.
4. **Steady red with green arrow:**
- Vehicular traffic may cautiously enter the intersection only to make the indicated movement and must yield to pedestrians and other lawful traffic.
 - Pedestrians shall not enter until green or “Walk” is shown.

B. If an official traffic-control signal is erected at a place other than an intersection, the provisions of this section apply except as to provisions which by nature are inapplicable. Stops shall be made at the indicated sign or pavement marking, or, in absence thereof, at the signal.

State Law Reference: Obeying traffic-control devices, 47 O.S. § 11-201; Signal Legend, 47 O.S. § 11-202.

SECTION 15-206 PEDESTRIAN-CONTROL SIGNALS

A. Whenever special pedestrian-control signals exhibiting the term “*Walk*” or “*Wait*” or “*Don’t Walk*” are in place, such signals shall indicate as follows:

1. **Walk:** Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by all vehicles.
2. **Wait/Don’t Walk:** No pedestrian shall start to cross. Any pedestrian who has partially completed crossing on a “Walk” signal shall proceed to a sidewalk or safety island while the “Wait” signal is showing.

SECTION 15-207 FLASHING SIGNALS

- A. Whenever an illuminated flashing red or yellow signal is used:
1. **Flashing red (stop signal):** Drivers shall stop before entering the nearest crosswalk, limit line, or intersection. The right to proceed shall follow the rules applicable after a stop at a stop sign.
 2. **Flashing yellow (caution signal):** Drivers may proceed only with caution.
- B. This section does not apply at railroad grade crossings.
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SECTION 15-208 PEDESTRIAN-ACTIVATED SCHOOL CROSSING SIGNALS

- A. Whenever a pedestrian-actuated school crossing signal is provided, obedience is required as follows:
1. **Flashing yellow:** Drivers may proceed only with caution. Pedestrians may not proceed until steady red is shown.
 2. **Steady yellow:** Drivers are warned red will follow and may not enter or cross when red is exhibited. Pedestrians shall wait for steady red before entering.
 3. **Steady red:** Drivers must stop and remain standing until flashing yellow appears. Pedestrians may then proceed and must be given right-of-way.
 4. **Steady red and steady yellow combined:** Drivers are warned flashing yellow will follow and shall remain standing. Pedestrians are warned not to enter until flashing yellow appears, except those already in the crossing, who shall proceed to a sidewalk or safety island and must be given right-of-way.
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SECTION 15-209 DISPLAY OF UNAUTHORIZED SIGNS OR SIGNALS

- A. No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, which attempts to direct the movement of traffic, which projects any flashing or revolving beams of light, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
- B. No person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign, signal or device bearing thereon any commercial or other advertising.
- C. This section shall not prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

D. No sign or advertising shall be placed in a street right-of-way except official signs or devices placed by authority of this code or state law.

E. Every such prohibited sign, signal, marking or device is declared to be unlawful and a public nuisance; the town is empowered to remove the same without notice.

SECTION 15-210 DEFACING OR REMOVING TRAFFIC-CONTROL DEVICES

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, change the position of 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.

Cross Reference: See also Part 10 on removal of barricades.

SECTION 15-211 DESIGNATION OF CROSSWALKS AND SAFETY ZONES

- A. The town personnel, subject to direction by the board of trustees, is authorized to:
1. Designate and have maintained by appropriate devices, marks or lines upon the surface of the roadway crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary; and
 2. Establish safety zones or islands of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

CHAPTER 3

EQUIPMENT

SECTION — DESCRIPTION

- 15-301 Equipment required; use of equipment
- 15-302 Muffler required; cutouts
- 15-303 Width, height, length, weight and load
- 15-304 Windshields to be unobstructed; wipers required
- 15-305 Inspection of vehicles; safety stickers
- 15-306 Vehicles to be registered; display of tags

SECTION 15-301 EQUIPMENT REQUIRED; USE OF EQUIPMENT

- A. Every vehicle operated upon the streets of the town shall be equipped as required by Title 47 of the Oklahoma Statutes. No person shall operate a vehicle upon a street of the town which is not equipped as required by state law.
- B. No person shall fail to use such equipment in the manner required by state law, or use it in a manner prohibited by state law.

State Law Reference: Equipment required on vehicles, 47 O.S. §§ 12-101 et seq.

SECTION 15-302 MUFFLER REQUIRED; CUTOUTS

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. No person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a highway. 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.

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

SECTION 15-303 WIDTH, HEIGHT, LENGTH, WEIGHT AND LOAD

- A. No person shall drive or convey through any street or bridge any vehicle the width, height, length, weight or load of which exceeds that authorized by state law, or which vehicle exceeds the width, height, length, weight or load limits established by the town, county or state as indicated by appropriate signs erected on the street, road or bridge, unless a permit or approval has been granted therefor by the state or town police chief.
- B. A maximum weight limit of twenty (20) tons is applicable on Harpers Valley Road.
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SECTION 15-304 WINDSHIELDS TO BE UNOBSTRUCTED; WIPERS REQUIRED

- A. No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such vehicle which obstructs the driver's clear view of the street or highway or any intersecting street or highway.

B. The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield. Such device shall be so constructed as to be controlled or operated by the driver of the vehicle. Every windshield wiper upon a motor vehicle shall be maintained in good working order.

SECTION 15-305 VOIDED

SECTION 15-306 VEHICLES TO BE REGISTERED; DISPLAY OF TAGS

A. No person shall operate a vehicle of any kind upon a street of the town without a state vehicle license or tag as may be required by law.

B. No person shall fail to display the state vehicle license or tag as required by law or attach any trailer hitch or other device in a manner as to cover or partially cover the vehicle license.

CHAPTER 4

CERTAIN VEHICLES PROHIBITED

SECTION — DESCRIPTION

- 15-401 Vehicles injurious to streets; metal tires prohibited
 - 15-402 Obstructive and dangerous vehicles; covering of loads
 - 15-403 Use of all-terrain vehicles and golf carts
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SECTION 15-401 VEHICLES INJURIOUS TO STREETS; METAL TIRES PROHIBITED

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

SECTION 15-402 OBSTRUCTIVE AND DANGEROUS VEHICLES; COVERING OF LOADS

A. 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 town and in accordance with the terms of such permit.

B. No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, 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 such roadway.

C. No person shall operate on any street any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders or other loose materials susceptible to blowing or escaping by reason of wind shall have such load covered or dampened so as to prevent the blowing or escaping of the load from the vehicle.

D. This section shall not apply to trucks loaded with livestock, poultry or agricultural products only, except baled agricultural products; however, any such trucks shall be so constructed or loaded as to prevent such livestock or poultry from escaping therefrom.

SECTION 15-403 USE OF ALL-TERRAIN VEHICLES AND GOLF CARTS

A. Pursuant to 47 O.S. § 11-1116, the use of golf carts and all-terrain vehicles on Kiowa city streets and roads shall be permitted except as follows:

1. Golf carts and all-terrain vehicles may only be driven on city streets and roads during daylight hours by licensed drivers.
2. No more than two persons shall be permitted to occupy a golf cart driven on city streets and roads. No more than one person shall be permitted to occupy an all-terrain vehicle on city streets and roads, except for all-terrain vehicles specifically designed for passengers.
3. Golf carts and all-terrain vehicles driven on city streets and roads shall always yield to all other traffic and must obey all traffic laws and posted signs.
4. No person under 18 years of age shall operate a golf cart or all-terrain vehicle at any time on city streets and roads.
5. Golf carts and all-terrain vehicles may only be driven on or across any state highway or street at a ninety (90) degree angle to the direction of traffic.

B. All provisions of 47 O.S. § 11-1116 shall prevail and apply where they are inconsistent with this City Ordinance.

CHAPTER 5

DRIVING, OVERTAKING AND PASSING

SECTION — DESCRIPTION

- 15-501 Driving on right side of roadway; exception
- 15-502 Passing vehicles proceeding in opposite direction
- 15-503 Passing vehicle on left
- 15-504 Passing vehicle on right
- 15-505 Passing requirements, duty of overtaken vehicle
- 15-506 Passing prohibited
- 15-507 Designation of no-passing zones
- 15-508 School buses; markings; passing regulations
- 15-509 Driving on laned roadways, marking traffic lanes
- 15-510 Driving on divided highways
- 15-511 Following too closely
- 15-512 Restricted-access roadways
- 15-513 Driving through service drives
- 15-514 Reckless driving
- 15-515 Careless or negligent driving
- 15-516 Driving over fire hose
- 15-517 Following fire or emergency apparatus
- 15-518 Procedure on approach of emergency vehicles
- 15-519 Actual physical control of vehicle while intoxicated
- 15-520 Driving under the influence of intoxicating liquor or drugs; driving while impaired; evidence; penalty
- 15-521 Driver's license required
- 15-522 Driving while license suspended; use of false license
- 15-523 Permitting unlicensed person to drive
- 15-524 Driving through funeral processions
- 15-525 Driving in funeral procession
- 15-526 Identification of funeral processions
- 15-527 Use of roller skates, coasters, skateboards on roadway
- 15-528 Play streets authorized
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- 15-530 Obstructing intersection or crosswalk
- 15-531 Driving on sidewalk prohibited
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- 15-533 Starting stopped or parked vehicles
- 15-534 Backing of vehicle
- 15-535 Opening and closing vehicle door
- 15-536 Obstructions to driver's view; number in front seat
- 15-537 Clinging to vehicle
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- 15-540 Driving through safety zone
- 15-541 Child passenger restraint system or seat belt required; exceptions; penalty
- 15-542 Seat belts required for front seat passengers; exceptions

- 15-543 Obedience to signal indicating approach of train
 - 15-544 Certain vehicles to stop at all railroad grade crossings
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SECTION 15-501 DRIVING ON RIGHT SIDE OF ROADWAY; EXCEPTION

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

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
2. When the right half of a roadway is closed to traffic while under construction or repair;
3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; and
4. Upon a roadway designated and sign-posted for one-way traffic.

B. 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 to 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.

State Law Reference: Driving and passing regulations, 47 O.S. §§ 11-301 et seq.

SECTION 15-502 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTION

Drivers of vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the traveled portion of the roadway as nearly as possible.

SECTION 15-503 PASSING VEHICLE ON LEFT

A. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

1. 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; and

2. 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.

SECTION 15-504 PASSING VEHICLE ON RIGHT

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 and has so properly signaled for a left turn;
2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles and marked with lines for two (2) or more lanes of traffic in each direction; and
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 15-505 PASSING REQUIREMENTS, DUTY OF OVERTAKEN VEHICLE

A. 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. 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. Except as provided elsewhere in this chapter, 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.

C. 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.

D. 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.

SECTION 15-506 PASSING PROHIBITED

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

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
2. When traversing an intersection or railroad grade crossing; or
3. When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel.

B. It is a violation to pass on the left by going to the left of the center of the roadway across a double-marked center line for the purpose of passing a vehicle traveling in the same direction.

C. This section shall not apply upon a one-way roadway.

SECTION 15-507 DESIGNATION OF NO-PASSING ZONES

A. The Oklahoma Department of Transportation, as regards state and federal highways, and the town personnel, subject to direction of the board of trustees, as regards all other streets, are authorized to determine those portions of a highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and shall by appropriate signs or markings on the roadway have the beginning and end of such zones indicated. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

B. Where signs or markings are in place to define a no-passing zone, no driver shall at any time drive to the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone through its length.

SECTION 15-508 SCHOOL BUSES; MARKINGS; PASSING REGULATIONS

A. The driver of a vehicle upon any street or highway in the town, upon meeting or overtaking from either direction any school bus on which the red loading signals are in operation and which

has stopped for the purpose of receiving or discharging any schoolchildren and other occupants, shall stop the vehicle before it reaches the school bus. The driver may then proceed to pass such school bus at a speed which is reasonable and prudent and with due caution for the safety of such schoolchildren and other occupants after the loading signals are deactivated.

B. Every school bus used for the transportation of schoolchildren shall bear upon the front and rear thereof plainly visible signs containing the words "School Bus" in letters not less than eight (8) inches in height and, in addition, shall be equipped with visual signs meeting the requirements of state law which shall be actuated by the driver of the school bus whenever, but only whenever, such vehicle is stopped on a street or highway for the purpose of receiving or discharging schoolchildren.

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

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

SECTION 15-509 DRIVING ON LANED ROADWAYS, MARKING TRAFFIC LANES

A. The town personnel, subject to direction of the board of trustees, are authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

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 and has properly signaled his intentions to do so;
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.

C. Where traffic lanes have been marked, no operator of any vehicle shall fail or refuse to keep the 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.

SECTION 15-510 DRIVING ON DIVIDED HIGHWAYS

Whenever any highway has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or clearly indicated divided section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway. No vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier, dividing section or space, or at a crossover or intersection established by public authority.

SECTION 15-511 FOLLOWING TOO CLOSELY

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and the condition of the highway. Such driver following too closely shall be deemed negligent.

SECTION 15-512 RESTRICTED-ACCESS ROADWAYS

No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.

SECTION 15-513 DRIVING THROUGH SERVICE DRIVES

No vehicle shall be driven through any service drive or parking area except for the purpose of attaining service or merchandise or for the purpose of parking thereon.

SECTION 15-514 RECKLESS DRIVING

It shall be deemed reckless driving for any person to drive a motor vehicle in a careless or wanton manner without regard for the safety of persons or property.

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

SECTION 15-515 CARELESS OR NEGLIGENT DRIVING

- A. No person shall drive, use, operate, park, cause to be parked, or stop any vehicle:
1. In a careless manner;
 2. In a negligent manner;
 3. In such a manner as to endanger life, limb, person or property; or
 4. In such a manner or condition as to interfere with the lawful movement of traffic or use of the streets.
- B. Every driver shall remain alert and give full attention to the safe control and operation of his vehicle while it is in motion. Every driver of a motor vehicle shall, upon stopping, or upon stopping and leaving the vehicle, park the same in a careful and prudent manner and place so as not to interfere with the operation of other vehicles or with pedestrians or other traffic. Failure to comply with these requirements shall be deemed careless driving in violation of this section.
- C. Any driver who engages in any activity or does any act while driving that interferes with the safe operation and control of his vehicle, or who continues to operate his vehicle when any other person riding thereon or therein engages in any activity or does any act which interferes with his operation thereof, is guilty of careless driving.
- D. A driver of a motor vehicle who collides with another vehicle or with any person or property because of driving error or inattention is guilty of careless driving.

SECTION 15-516 DRIVING OVER FIRE HOSE

Whenever any hose of the fire department is laid upon any street, avenue, alley, bridge or vacant lot in the town, no person shall drive any automobile, truck, locomotive, railroad car or any other vehicle over the same unless the hose shall have been protected by wooden railings or other device laid along the side thereof, and then only at the places so protected unless otherwise directed by a town official.

SECTION 15-517 FOLLOWING FIRE OR EMERGENCY APPARATUS

The driver of any vehicle other than on official business shall not follow any emergency or 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 emergency apparatus has stopped in answer to a fire alarm.

Cross Reference: See also Chapter 6, Part 10 of this code on interference with officials at fires, false alarms, and other offenses.

SECTION 15-518 PROCEDURE ON APPROACH OF EMERGENCY VEHICLES

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

B. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

State Law Reference: Similar provisions, 47 O.S. § 11-405.

SECTION 15-519 ACTUAL PHYSICAL CONTROL OF VEHICLE WHILE INTOXICATED

No person who is under the influence of alcoholic beverage, non-intoxicating beverage, or drug, as defined in this code and in Section 15-519, shall be in actual physical control of any motor vehicle within the town.

Cross Reference: See also transporting open container, Part 3 of this code.

SECTION 15-520 DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS; DRIVING WHILE IMPAIRED; EVIDENCE; PENALTY

A. No person shall drive or operate a motor vehicle in the town who is:

1. Under the influence of an alcoholic beverage or intoxicating beverage;
2. Under the combined influence of alcohol or any other intoxicating substance as provided in paragraph 3; or
3. Under the influence of any other intoxicating substance to a degree which renders such person incapable of safely driving or operating a motor vehicle,

B. No person shall drive or operate a motor vehicle while his ability to operate the motor vehicle is impaired by the consumption of alcoholic beverage or non-intoxicating beverage within the town.

C. No person who is an habitual user of or under the influence of any narcotic drug, barbiturate, amphetamine or marijuana, or who is under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, shall operate a motor vehicle within the town. The fact that any person charged with a violation of this subsection is or has been lawfully entitled to use such narcotic drug, barbiturate, amphetamine, marijuana or other drug shall not constitute a defense against any charge of violating this subsection.

D. As used in this section, "other intoxicating substance" or "drug" means any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act and any other substance, other than alcohol, which is capable of being ingested, inhaled, injected or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor functions.

E. Upon the trial of any criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a motor vehicle while under the influence of alcohol or intoxicating liquor, evidence of the amount of alcohol or intoxicating liquor in the person's blood as shown by a chemical analysis of his blood or breath is admissible. For the purpose of this section:

1. Evidence that there was five-hundredths of one percent (.05 of 1%) but less than eight-hundredths of one percent (.08 of 1%) by weight of alcohol in his blood is prima facie evidence that the person was not under the influence of alcohol or intoxicating liquor;
2. Evidence that there was more than five-hundredths of one percent (.05 of 1%) but less than eight-hundredths of one percent (.08 of 1%) by weight of alcohol in the person's blood is relevant evidence of operating a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol or intoxicating liquor. No person shall be convicted of the offense of operating a motor vehicle while his ability to operate such vehicle is impaired by consumption of alcohol or intoxicating liquor solely because there was more than five-hundredths of one percent (.05 of 1%) by weight of alcohol in the person's blood in the absence of additional evidence that such person's driving was affected by the consumption of alcohol to the extent that the public health and safety was threatened or that the person had violated a state statute or local ordinance in the operation of a motor vehicle;
3. Evidence that there was eight-hundredths of one percent (.08 of 1%) or more by weight of alcohol in his blood shall be admitted as prima facie evidence that the person was under the influence of alcohol or intoxicating liquor;
4. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred (100) milliliters of blood; and
5. To be admissible, such evidence must first be qualified by establishing that such specimen was obtained from the subject within not more than two (2) hours of the arrest of the subject.

F. Every person who is convicted of a violation of this section for operating a motor vehicle under the influence of alcohol or intoxicating liquor shall be punished as provided in Section 1-108 of this code.

State Law Reference: Similar provisions, 47 O.S. Sec. 756; 47 O.S. Sec. 11-902.

SECTION 15-521 DRIVER'S LICENSE REQUIRED

No person shall drive or operate any motor vehicle on any public roadway within the town unless such person has a current, not suspended or revoked, valid driver's or chauffeur's license as required by state law.

SECTION 15-522 DRIVING WHILE LICENSE SUSPENDED; USE OF FALSE LICENSE

A. No person shall:

1. Display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, photostatic or fraudulently altered operator's or chauffeur's license;
2. Lend his operator's or chauffeur's license to any other person or knowingly permit the use thereof by another;
3. Display or represent as his own any operator's or chauffeur's license not issued to him; or
4. Permit any unlawful use of an operator's or chauffeur's license issued to him.

B. No person shall drive a motor vehicle on any public street within the town at a time when his privilege to do so is canceled, suspended or revoked.

SECTION 15-523 PERMITTING UNLICENSED PERSON TO DRIVE

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street in the town by any person who is not authorized or licensed to drive a motor vehicle under the laws of the state or under the laws of the state of the driver's residence of record.

SECTION 15-524 DRIVING THROUGH FUNERAL PROCESSIONS

A. 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.

B. This section shall not apply at intersections where traffic is controlled by police officers.

SECTION 15-525 DRIVING IN FUNERAL PROCESSION

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable except when otherwise directed or escorted by a police officer. Each driver shall follow the vehicle ahead as closely as is practicable and safe and at a speed as designated by the escort for the procession.

SECTION 15-526 IDENTIFICATION OF FUNERAL PROCESSIONS

A funeral composed of a procession of vehicles shall be identified by headlights turned on or by the display upon the outside of each vehicle an identifying insignia or by such other method as may be determined and designated by the police department.

SECTION 15-527 USE OF ROLLER SKATES, COASTERS, SKATEBOARDS ON ROADWAY

No person upon roller skates, or riding in or by means of any coaster, skateboard, toy vehicle or similar device, shall go upon any roadway except while crossing a street in a crosswalk. While so crossing, such person shall be granted all of the rights and be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street authorized by ordinance.

SECTION 15-528 PLAY STREETS AUTHORIZED

The town personnel, subject to direction by the board of trustees, if any, shall have authority to declare any street or part thereof a play street and have placed appropriate signs or devices in the roadway indicating and helping to protect the same.

SECTION 15-529 USE OF PLAY STREETS BY MOTOR VEHICLES

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

SECTION 15-530 OBSTRUCTING INTERSECTION OR CROSSWALK

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

SECTION 15-531 DRIVING ON SIDEWALK PROHIBITED

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

State Law Reference: Power of town to prohibit driving on sidewalks, 11 O.S. Sec. 22-117.

SECTION 15-532 DRIVING IN PUBLIC PARKS RESTRICTED, DRIVING ON PROPERTY WITHOUT PERMISSION

A. No person shall drive, operate or propel a motor vehicle or motor-driven cycle, including a motor scooter or motor-driven bicycle, in any park, public property or right of way or easement, within or owned by the town, except upon established roadways or roadways designed for vehicular traffic. A vehicle may be driven a reasonable distance from the roadway for the purpose of going to and from a parking place.

B. No person shall drive, operate or propel a motor vehicle or motor-driven cycle past any barrier, sign or other device indicating that vehicular traffic is prohibited in, upon or through any area upon which vehicular traffic is prohibited.

C. No person shall drive a motor vehicle of any size on any private property unless the operator has obtained the permission of the owner of the private property.

D. Emergency vehicles are exempt from the provisions of this section.

Cross Reference: Park and recreation rules, Part 11 of this code.

SECTION 15-533 STARTING STOPPED OR PARKED VEHICLES

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

SECTION 15-534 BACKING OF VEHICLE

The driver of a vehicle shall not back the same unless such movement can be made without interfering with other traffic. When a vehicle is backed more than thirty (30) feet, such movement shall be deemed unsafe.

SECTION 15-535 OPENING AND CLOSING VEHICLE DOOR

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. No person shall leave a door open on the side of a motor vehicle available to moving traffic to load or unload passengers.

SECTION 15-536 OBSTRUCTIONS TO DRIVER'S VIEW; NUMBER IN FRONT SEAT

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 15-537 CLINGING TO VEHICLE

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

SECTION 15-538 BOARDING OR ALIGHTING FROM MOVING VEHICLE

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

SECTION 15-539 RIDING OUTSIDE VEHICLE COMPARTMENT

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

SECTION 15-540 DRIVING THROUGH SAFETY ZONE

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

SECTION 15-541 CHILD PASSENGER RESTRAINT SYSTEM OR SEAT BELT REQUIRED; EXCEPTIONS; PENALTY

A. As used in 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. Every driver when transporting a child under six (6) years of age in a motor vehicle operated in this town shall properly secure the child in a child passenger restraint or in a seat belt in the rear of the motor vehicle. Regardless of child's seating position in a vehicle, children under six (6) years of age shall be protected in a properly installed child passenger restraint system, and children six (6) through twelve (12) years of age must be protected by the use of either a properly installed child passenger restraint system or a safety belt.

C. This section shall not apply to:

1. The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to town ordinance, state statute, or federal law;
2. The driver of an ambulance or emergency vehicle; or
3. A driver of a vehicle if all of the seat belts in the vehicle are in use; and
4. The transportation of children who for medical reasons are unable to be placed in such devices with a signed written verification from a physician.

D. A law enforcement officer is hereby authorized to stop a vehicle if it appears that the driver of the vehicle has violated the provisions of this section and to give an oral warning to the driver. The warning shall advise the driver of the possible danger to children resulting from the failure to install or use a child passenger restraint system or seat belts in the motor vehicle.

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

F. Any person convicted of violating this section shall be punished by a fine as set in the fine schedule, or the maximum amount allowed by state law, whichever is greater, and shall pay court costs. The fine shall be suspended in the case of the first offense upon proof of purchase or acquisition by loan of a child passenger restraint system. The fine need not be suspended if the child was being transported in a motor vehicle already equipped with a child passenger restraint system.

Cross Reference: See also Sec. 1-108 for general penalty section.

SECTION 15-542 SEAT BELTS REQUIRED FOR FRONT SEAT PASSENGERS; EXCEPTIONS

A. Every operator and front seat passenger of a passenger car operated in this town shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard 208. For the purposes of this section, "passenger car" shall not include trucks, truck-tractors, recreational vehicles, motorcycles, motorized bicycles or vehicles used primarily for farm use and licensed pursuant to state law, Section 1134 of Title 47 of the Oklahoma Statutes.

B. This section shall not apply to an operator or passenger of a passenger car in which the operator or passenger possesses a written verification from a physician licensed in this state that he is unable to wear a safety seat belt system for medical reasons. The issuance of such verification by a physician, in good faith, shall not give rise to, nor shall such physician thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of such failure to wear a safety seat belt system.

C. This section shall not apply to an operator of a motor vehicle who is a route carrier of the U.S. Postal Service.

D. Any person convicted of violating this section shall be punished by a fine of Twenty Dollars (\$20.00), or the maximum amount allowed by state law, whichever is greater, and shall pay court costs.

Cross Reference: See also Sec. 1-108 for general penalty section.

SECTION 15-543 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN

A. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

1. A clearly visible electrical or mechanical signal device gives warning of the immediate approach of a railroad train;
2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
3. A railroad train approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or
4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

B. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

SECTION 15-544 CERTAIN VEHICLES TO STOP AT ALL RAILROAD GRADE CROSSINGS

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

B. No stop need be made at any such crossing where a police officer or traffic control signal directs traffic to proceed.

CHAPTER 6

STOPPING, STANDING AND PARKING

ARTICLE A

PARKING REGULATIONS

SECTION DESCRIPTION

15-601	Stopping, standing or parking prohibited in certain places
15-602	Handicapped parking restrictions
15-603	Parking not to obstruct traffic or signs
15-604	Parking for certain purposes prohibited
15-605	Parking more than seventy-two hours
15-606	Standing or parking on left side of roadway
15-607	Parking on private property; impounding of vehicle
15-608	Unattended vehicles
15-609	Authority to restrict parking time
15-610	Parking in private parking spaces without permission of owner
15-611	Prohibiting parking within fire lanes on certain private property
15-612	Limiting parking to authorized emergency vehicles
15-613	Presumption in prosecutions for standing or parking violations

SECTION 15-601

STOPPING, STANDING OR PARKING PROHIBITED IN CERTAIN PLACES

A. No person shall stop, stand or park a vehicle, except when necessary to avoid a conflict with other traffic or in compliance with law or ordinance or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within fifteen (15) feet of a fire hydrant except in a parking space officially marked;
5. On a crosswalk;
6. Within twenty (20) feet of a crosswalk at an intersection except in a parking space officially marked;
7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the town indicates a different length by signs or markings;
9. Within fifty (50) feet of the nearest rail of a railroad crossing;
10. Within twenty (20) feet of the driveway entrance to any fire station or, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when properly signposted;
11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. Upon any bridge or other elevated structure upon a highway or within a highway underpass;

14. At any place where official signs prohibit stopping, standing or parking;
15. At any other place prohibited by this code or law.

B. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is lawful.

State Law Reference: Requirements for stopping, standing and parking, 47 O.S. §§ 11-1001 et seq.

SECTION 15-602

HANDICAPPED PARKING RESTRICTIONS

No person shall be permitted to place or park a motor vehicle in any parking space that is designated and posted as a reserved area for parking of motor vehicles of a physically disabled person unless such vehicle is eligible for a detachable insignia of a physically disabled person issued by the State Department of Public Safety as provided for in Section 15-112 of Title 47 of the Oklahoma Statutes, as amended, and such insignia is displayed as provided in accordance with state law or regulations adopted pursuant thereto.

The provisions of this section shall apply to any such designated and posted reserved area on public property or private property accessible to the public and where the public is invited.

Any person convicted of a violation of this section shall be punished as provided in Section 1-108 of this code, subject to the maximum penalty allowed by state law. In addition thereto, any person so convicted shall pay any and all reasonable and necessary charges incurred by the landowner or other person in having any motor vehicle unlawfully parked hereunder removed from the property and stored.

State Law Reference: Handicapped parking restrictions, 47 O.S. §§ 11-1007, 11-1008.

SECTION 15-603

PARKING NOT TO OBSTRUCT TRAFFIC OR SIGNS

A. No person shall park a vehicle within a street or alley in such a manner or under such conditions as to prohibit the free movement of authorized emergency vehicles or vehicular traffic.

B. No person shall stop, stand or park a vehicle within a street or alley in such a position as to block the driveway entrance to any abutting property.

C. No person shall at any time stop, stand or park a vehicle except when necessary to avoid conflict with other traffic, in compliance with the directions of a police officer or traffic-control device or in case of emergency within any alley except for the purpose of and while actually engaged in loading or unloading merchandise, with the maximum time permitted for loading or unloading being one hour; however, such vehicle must be headed in the proper direction in the alley and it must be parked on the right half of one-way alleys.

D. Any vehicle parked upon the public streets or right-of-way shall be parked so as not to obstruct the view of any flashing beacon, stop sign or traffic-control signal by oncoming traffic.

SECTION 15-604

PARKING FOR CERTAIN PURPOSES PROHIBITED

A. No person shall park his vehicle upon any street or highway for the principal purpose of:

1. Displaying the vehicle for sale;
2. Displaying advertising or displaying merchandise;
3. Washing, greasing or repairing the vehicle except repairs necessitated by an emergency; and
4. Selling merchandise or any other thing from vehicles without appropriate permit or license from the town.

Cross Reference: Business, itinerant vendors, Part 9 of this code.

SECTION 15-605

PARKING MORE THAN SEVENTY-TWO HOURS

No vehicle may be parked on a town or state road or highway for more than seventy-two (72) hours. Such vehicles will be given a notice that the vehicle must be removed or it will be removed by agents of the town as provided in this code.

SECTION 15-606

STANDING OR PARKING ON LEFT SIDE OF ROADWAY

A. Town personnel, subject to direction of the board of trustees, may determine when standing or parking may be permitted upon the left-hand side of any one-way roadway and have signs or marks placed giving notice thereof.

B. In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs or marks are placed to permit such standing or parking.

SECTION 15-607

PARKING ON PRIVATE PROPERTY; IMPOUNDING OF VEHICLE

A. No person shall park a vehicle on the private property of another without the consent of the owner of the property, his agent or tenant.

B. Any unoccupied vehicle parked in violation of this section may, upon complaint of the property owner, his agent or tenant, be towed and impounded, and the vehicle owner must pay removal, storage and impounding fees.

SECTION 15-608

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.

State Law Reference: Similar provisions, 47 O.S. § 11-1101.

SECTION 15-609

AUTHORITY TO RESTRICT PARKING TIME

A. The town board of trustees, by resolution, may establish parking time limits, or prohibit parking, on designated streets by having appropriate signs placed thereon.

B. When such signs are in place, no person shall park a vehicle in violation thereof.

SECTION 15-610

PARKING IN PRIVATE PARKING SPACES WITHOUT PERMISSION OF OWNER

A. The parking, leaving or keeping of vehicles, either with or without occupants, upon real property owned or leased for use of hotels or business establishments as private parking places, without permission of the owner or lessee, as the case may be, is hereby prohibited.

B. Any vehicle parked or left in violation of subsection A shall, upon the complaint of the owner or lessee of the property, be removed from the premises by the police or on the order of any police officer, at the expense of the owner of the vehicle. Such removal may be accomplished by the police department or by a police department order directing any person operating a towing service to pull the vehicle to his garage or place of business, where it shall be held in the custody of the police department until the towing charges and the fine and costs, if any, are paid.

SECTION 15-611

PROHIBITING PARKING WITHIN FIRE LANES ON CERTAIN PRIVATE PROPERTY

Town personnel, when the public safety shall require, are authorized and directed to prohibit parking upon private property used for shopping centers, schools, hospitals, nursing homes, restaurants and places of public entertainment within zones to be clearly designated and defined by appropriate sign, when the same is necessary for the establishment of fire lanes to avoid obstruction of free passage and access.

No person shall stop, stand or park a vehicle, except an authorized emergency vehicle, within such prohibited fire lanes, except on direction and by authority of a police officer.

SECTION 15-612

LIMITING PARKING TO AUTHORIZED EMERGENCY VEHICLES

Town personnel, subject to any directions which the town board of trustees may give, are authorized to designate streets or portions thereof where parking is limited to authorized emergency vehicles. When signs are in place giving notice of such limitation, it shall be unlawful for any person to park any vehicle, except an authorized emergency vehicle, upon any such street or portion thereof.

SECTION 15-613

PRESUMPTION IN PROSECUTIONS FOR STANDING OR PARKING VIOLATIONS

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 such law or regulation, together with proof that the defendant named in the complaint was, at the time of such violation, the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

State Law Reference: Removal of illegally stopped vehicles, 47 O.S. § 11-1002.

Cross Reference: See also Sections 15-1701 et seq. on impoundment of illegally stopped and other vehicles.

ARTICLE B

MANNER OF PARKING

SECTION	DESCRIPTION
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15-620	Distance from curb
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15-621	Brakes to be set; motor not to be running; securing animals
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15-622	Angle parking
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15-623	Parking within marked spaces
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15-624	Parking to be such as to leave ten (10) feet of roadway available for traffic
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15-625	Double parking prohibited
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SECTION 15-620

DISTANCE FROM CURB

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

SECTION 15-621

BRAKES TO BE SET; MOTOR NOT TO BE RUNNING; SECURING ANIMALS

Adequate brakes shall be set on all parked vehicles. No driver of a motor vehicle shall leave the vehicle with the motor running while parked. Animals left or parked on the streets shall be securely hitched.

SECTION 15-622

ANGLE PARKING

A. Town personnel, subject to direction of the board of trustees, may determine upon what streets and parts of streets angle parking will be permitted, and authority shall continue until changed permitting angle parking on any such street or part of street and the angle parking markings or signs are amended.

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

C. Angle parking is not permitted on any state or federal-aid highway unless the State Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

SECTION 15-623

PARKING WITHIN MARKED SPACES

In an area where parking spaces have been marked off on the surface of the street, a driver parking a vehicle shall park it within a parking space as thus marked off and not on or over a line delineating a space.

SECTION 15-624

PARKING TO BE SUCH AS TO LEAVE TEN (10) FEET OF ROADWAY AVAILABLE FOR TRAFFIC

No person shall park a vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of roadway for the free movement of vehicular traffic.

SECTION 15-625

DOUBLE PARKING PROHIBITED

A. No vehicle shall be double parked on any street within the town limits except in compliance with the direction of a police officer, or traffic-control device, or except when necessary to avoid conflict with another vehicle.

B. Delivery vehicles, either loading or unloading, may double park in the right-hand lane while in the process of loading or unloading and making delivery to local business establishments; provided that the driver of the delivery vehicle shall keep a lookout for cars and vehicles needing or attempting to move away from the curb and shall move his delivery vehicle as soon as possible to permit the parked vehicles to be moved. Such double parking shall be permitted only so long as both traffic lanes are not blocked.

CHAPTER 7

SPEED REGULATIONS

SECTION – DESCRIPTION

15-701 Speed limits

15-702 Minimum speed

SECTION 15-701

SPEED LIMITS

A. Notwithstanding a maximum speed limit enumerated in this code, no person shall drive a vehicle upon any alley, highway, roadway, street or public parking area at a speed greater than or less than is reasonable or prudent under the conditions then existing, considering visibility, amount of traffic, condition of roadway surface, presence of pedestrians, obstruction of view and other similar facts.

B. No person shall drive any vehicle upon a street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

C. Except when a special hazard exists that requires lower speed for compliance with Subsection A of this section, the limits specified in this chapter or established as authorized shall be maximum lawful speeds. No person shall drive a vehicle on a highway at a speed in excess of such maximum limits as follows:

1. Twenty-five (25) miles per hour on any street unless otherwise provided herein;
2. Miles per hour as posted in school zones.

D. Town personnel have authority to post lower speed limits than those prescribed in this chapter where special hazards exist.

E. The fact that the speed of a vehicle is lower than the designated limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow winding roadway, or when a special hazard exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions. Speed shall be decreased as may be necessary to avoid colliding with any person or vehicle or on entering the roadway in compliance with legal requirements and the duty of all persons to use due care and precaution.

State Law Reference: Power of town to set maximum speed limits, 47 O.S. § 11-803.

Cross Reference: Penalty for violation of any provision of this Part 15, Section 15-1801, Section 1-108.

SECTION 15-702

MINIMUM SPEED

It is unlawful for any person to drive a motor vehicle at such slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation. Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of willful disobedience to this provision or refusal to comply with the direction of an officer in accordance herewith, the continued slow operation by a driver shall be unlawful and constitute a blocking of traffic and a violation of this section.

State Law Reference: Similar provisions, 47 O.S. § 11-804.

CHAPTER 8

RIGHT-OF-WAY

SECTION – DESCRIPTION

- | | |
|--------|---|
| 15-801 | Right-of-way at intersections |
| 15-802 | Right-of-way at intersections, vehicles arriving at same time |
| 15-803 | Left turn at intersection |
| 15-804 | Designation of through streets |
| 15-805 | Signs at through streets |

- 15-806 Determination of stop and yield intersections
 - 15-807 Vehicles entering stop intersections
 - 15-808 Vehicle entering yield intersection
 - 15-809 School zones and crosswalks
 - 15-810 Emerging from alley or driveway
 - 15-811 Obstructing intersection or crosswalk
-

SECTION 15-801

RIGHT-OF-WAY AT INTERSECTIONS

- A. The driver of a vehicle on a street which is not a state or federal highway approaching an intersection with a state or federal highway shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard.
- B. When two (2) vehicles enter 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.
- C. The right-of-way rules declared in Subsections A and B are modified at through highways and otherwise as stated in this chapter.
- D. The driver of a vehicle approaching a “T” intersection, traveling down the base of the “T” intersection approaching a dead end must yield the right-of-way to all traffic.

State Law Reference: Right-of-way regulations, 47 O.S. §§ 11-401 et seq.

SECTION 15-802

RIGHT-OF-WAY AT INTERSECTIONS, VEHICLE ARRIVING AT SAME TIME

- A. Where two (2) or more vehicles face stop, slow, warning or caution signs or signals on two (2) or more intersecting cross streets, and are approaching so as to enter the intersection at the same time, where each vehicle is required to stop, the vehicle coming from the right shall have the right-of-way. Where each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. Where each vehicle is required to take caution, the vehicle coming from the right shall have the right-of-way.
- B. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway; 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.
- C. Where one vehicle is required to stop and the other to slow or take caution, the one slowing

or taking caution shall have the right-of-way. Where one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way.

SECTION 15-803

LEFT TURN AT INTERSECTION

The driver of a vehicle within an intersection intending to turn to the left shall give a signal and yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. However, the driver, having so yielded and having given a signal when and as required by this chapter may make such left turn, and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

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

SECTION 15-804

DESIGNATION OF THROUGH STREETS

The town personnel, subject to direction of the board of trustees, may designate any street or part of street as a through street.

SECTION 15-805

SIGNS AT THROUGH STREETS

Whenever the town personnel designates and describes a through street, the town personnel shall have placed and maintained a stop sign, or if deemed more appropriate at any intersection a yield sign, on each and every street intersection such through street, and a heavy-traffic street not so designated. Stop signs shall be erected at the approaches of either of the streets as may be determined by the personnel if deemed desirable.

SECTION 15-806

DETERMINATION OF STOP AND YIELD INTERSECTIONS

A. The town personnel, subject to direction by the board of trustees, are authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine:

1. Whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required; or

2. Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection as prescribed in Section 15-807, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required.

B. Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway.

C. Every stop sign shall bear the word "Stop" in letters not less than eight (8) inches in height. Every yield sign shall bear the word "Yield" in letters not less than seven (7) inches in height. Every stop sign and every yield sign shall, at nighttime, be rendered luminous by internal illumination, or by a floodlight project on the face of the sign, or by efficient reflecting elements in the face of the sign.

SECTION 15-807

VEHICLES ENTERING STOP INTERSECTIONS

A. Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, 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. Such driver, after having stopped, shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard. The driver having so yielded may proceed only when it is prudent and apparently safe to do so.

SECTION 15-808

VEHICLE ENTERING YIELD INTERSECTION

A. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary and 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. If such driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in

the intersection after driving past a yield sign, such collision shall be deemed prima facie evidence of his failure to yield the right-of-way.

B. The driver of a vehicle approaching a yield sign, is 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, 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.

SECTION 15-809

SCHOOL ZONES AND CROSSWALKS

A. The town personnel, subject to direction by the board of trustees, are authorized to erect signs to designate school zones and school zone crosswalks.

B. No person may drive a vehicle past a school sign or through a school zone at a speed greater than that posted per hour as stated on school days. Drivers proceeding in a school zone shall stop and yield the right-of-way to pedestrians in school zone crosswalks when so directed by a school safety patrol member or when such crosswalk is occupied by pedestrians between the hours posted on school days.

C. Any driver involved in a school zone crosswalk collision with a pedestrian after failing to slow and yield the right-of-way to such pedestrian shall be deemed prima facie in violation of this section.

SECTION 15-810

EMERGING FROM ALLEY OR DRIVEWAY

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

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

SECTION 15-811

OBSTRUCTING INTERSECTION OR CROSSWALK

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

CHAPTER 9

TURNING MOVEMENTS

SECTION – DESCRIPTION

- 15-901 Method of turning generally and at intersections
 - 15-902 Authority to place turning markers
 - 15-903 Authority to restrict turning; obedience required
 - 15-904 Limitations on turning, U-turns
 - 15-905 Turning or stopping movements; signals required
 - 15-906 Signals; method required
 - 15-907 Method of giving hand signals
-

SECTION 15-901

METHOD OF TURNING GENERALLY AND AT INTERSECTIONS

A. 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;
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 the left of the center of the intersection; and
3. **Left turns on other than two-way roadways.** At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. After entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

B. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by this section, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway, unless and until such movement can be made with reasonable safety.

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

SECTION 15-902

AUTHORITY TO PLACE TURNING MARKERS

A. The town personnel, subject to direction by the board of trustees, is authorized to have placed markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. Such course to be traveled shall be indicated.

B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

SECTION 15-903

AUTHORITY TO RESTRICT TURNING; OBEDIENCE REQUIRED

A. Town personnel, subject to direction by the board of trustees, may determine those intersections at which drivers of vehicles shall not make a right turn, left turn or U-turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours.

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

SECTION 15-904

LIMITATIONS ON TURNING, U-TURNS

A. Except as hereinafter provided, no person shall operate a vehicle so as to turn more than ninety degrees (90°) on any street or highway.

B. Persons excepted are those who can safely execute that turn if at an intersection, but it is unlawful for the driver of a vehicle to make such a turn at any intersection:

1. Where traffic-control signals are installed;
 2. Where a police officer is directing traffic except at the latter's direction; or
 3. Where an official "No U-turn" sign has been placed and is maintained.
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SECTION 15-905

TURNING OR STOPPING MOVEMENTS; SIGNALS REQUIRED

- A. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by ordinance, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall turn any vehicle without giving an appropriate signal in the manner hereinafter provided 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 without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

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

SECTION 15-906

SIGNALS; METHOD REQUIRED

- A. Any stop or turn signal, when required herein, shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in Subsection B.
 - B. Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle and to any combination of vehicles.
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SECTION 15-907

METHOD OF GIVING HAND SIGNALS

A. All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner:

1. Left turn: Hand and arm extended horizontally;
2. Right turn: Hand and arm extended upward; and
3. Stop or decrease speed: Hand and arm extended downward.

State Law Reference: Similar provisions, 47 O.S. §§ 11-605, 11-606.

CHAPTER 10

TRUCK ROUTES AND PARKING

SECTION – DESCRIPTION

15-1001 Truck routes, map

15-1002 Truck parking restricted in residential subdivisions

SECTION 15-1001

TRUCK ROUTES, MAP

A. The board of trustees, by motion or resolution, may prescribe routes through the town for the use of trucks in general or trucks of particular kinds or other vehicles which are not ordinary private passenger vehicles passing through the town. The town shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the routes.

B. When such signs are so erected and in place as provided in Subsection A hereof, the driver of a truck or other vehicle for which a route has been prescribed as provided herein, while passing through the town, shall keep on such route and shall not deviate therefrom except in case of emergency. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the town and not merely through the town.

C. Town personnel shall keep and maintain accurate maps setting out the truck routes designated by the town.

Cross Reference: See also applicable weight limits, Section 15-303.

SECTION 15-1002

TRUCK PARKING RESTRICTED IN RESIDENTIAL SUBDIVISIONS

A. As used in this section:

1. **“Bus”** means any vehicle designed for carrying more than eighteen (18) 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, excluding school buses owned and operated by public or private schools or school districts and church buses, from 6:00 A.M. to 6:00 P.M.; and
2. **“Truck”** means any truck above one-ton capacity or truck-tractor with or without semitrailer or pole trailer attached, or any other combination of vehicles.

B. It is unlawful for any truck or bus to be parked or stored on public or private property within a residential area or within three hundred (300) feet of residential subdivisions except for purposes of loading and unloading.

C. The following trucks or buses are exempt from the three-hundred-foot restriction in Subsection B hereof:

1. Those used in businesses lawfully established within the town’s commercial or industrial zoning districts;
2. Those used for farming by the owner or occupant in agricultural zoning districts; or
3. Buses operated by schools and churches within residential zones.

CHAPTER 11

LOADING ZONES

SECTION – DESCRIPTION

- | | |
|---------|--|
| 15-1101 | Authority to designate curb loading zones |
| 15-1102 | Parking or standing in passenger loading zone restricted |
| 15-1103 | Standing or parking in freight loading zones |
| 15-1104 | Permit to back to curb for loading or unloading |

SECTION 15-1101

AUTHORITY TO DESIGNATE CURB LOADING ZONES

Town personnel, subject to direction of the board of trustees, may determine the location of passenger and freight curb loading zones, and shall have placed and maintained appropriate signs

indicating the same and stating the hours during which the provisions of this section are applicable.

SECTION 15-1102

PARKING OR STANDING IN PASSENGER LOADING ZONE RESTRICTED

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 zone are effective, and then only for a period not to exceed three (3) minutes.

SECTION 15-1103

STANDING OR PARKING IN FREIGHT LOADING ZONES

A. 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 or unloading of materials exceed thirty (30) minutes.

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

SECTION 15-1104

PERMIT TO BACK TO CURB FOR LOADING OR UNLOADING

A. Town personnel are authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The traffic engineer may revoke such permits at any time.

B. It is unlawful for any permittee or other person to violate any of the special terms or conditions of any permit issued under this section.

CHAPTER 12

ACCIDENTS

SECTION – DESCRIPTION

- 15-1201 Accidents involving death or personal injury
 - 15-1202 Accidents involving damage to property
 - 15-1203 Duty to give information and render aid
 - 15-1204 Duty upon striking unattended vehicle
 - 15-1205 Duty upon striking fixtures upon a highway
 - 15-1206 Immediate notice of accident
 - 15-1207 When driver unable to report
-

SECTION 15-1201

ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY

The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 15-1203 of this code.

SECTION 15-1202

ACCIDENTS INVOLVING DAMAGE TO PROPERTY

A. The driver of any vehicle involved in an accident resulting only in apparent damage to property shall immediately stop such vehicle at the scene of such accident or as close thereto as possible. The driver shall remain at the scene of such accident until he has fulfilled the requirements of Section 15-1203 of this code. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with the requirements under such circumstances shall be guilty of a misdemeanor.

B. If the damage resulting from such accident is to the property of the driver only, with no damage to the person or property of another, the driver need not stop at the scene of the accident but shall make report of the damage resulting.

SECTION 15-1203

DUTY TO GIVE INFORMATION AND RENDER AID

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his correct name, address and registration number of the vehicle he is driving, and shall upon request and if available exhibit his operator's or chauffeur's license and his security verification form, as defined in this code, to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

State Law Reference: Similar provisions, 47 O.S. § 10-104.

Cross Reference: Security verification form, see Section 15-103 of this code.

SECTION 15-1204

DUTY UPON STRIKING UNATTENDED VEHICLE

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the correct name and address of the driver and owner of the vehicle striking the unattended vehicle, and provide the operator or owner with information from his security verification form, as defined in this code, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking, and providing information from his security verification form, as defined by this code, and a statement of the circumstances thereof.

SECTION 15-1205

DUTY UPON STRIKING FIXTURES UPON A HIGHWAY

The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license and his security verification form, as defined in this code, and shall make report of such accident when and as required in Section 15-1207 of this code.

SECTION 15-1206

IMMEDIATE NOTICE OF ACCIDENT

The driver of a vehicle involved in any accident shall immediately, by the quickest means of communication, give notice of such accident to the police department, on forms provided by the police department, after complying with the requirements of Section 15-1203 of this code. A report shall be made on forms provided by the department. Where personal injury or death occurs, the driver or drivers of the vehicles shall remain at the scene of the accident until police officers arrive, except in cases of personal injury requiring immediate attention.

Cross Reference: False reports, penalty for making, see Part 10 of this code.

SECTION 15-1207

WHEN DRIVER UNABLE TO REPORT

- A. An accident report is not required under this chapter from any person who is physically incapable of making report during the period of such incapacity.
- B. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 15-1206 of this code and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.
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CHAPTER 13

MOTORCYCLES

SECTION – DESCRIPTION

- 15-1301 Operation of motorcycle
15-1302 Equipment required
15-1303 Headgear required
15-1304 License required
-

SECTION 15-1301

OPERATION OF MOTORCYCLE

- A. No person shall operate a motorcycle or motor-driven cycle, including a motor scooter or motor-driven bicycle, on a street in this town during a time when state law prohibits the operation of such vehicle.
- B. No driver of a three-wheel motor vehicle or motor-driven bicycle shall carry any other person on, upon or within such vehicle on any street in the town, except as hereinafter provided. If any two- or three-wheel motor vehicle with a wheel diameter of twelve (12) inches or greater or any bicycle shall have either a double seating device with double foot rests or a sidecar attachment providing a separate seat space within such sidecar attachment for each person riding therein so that such person shall be seated entirely within the body of the sidecar, it shall be permissible for an operator who has attained the age of sixteen (16) or older to carry a passenger. A demonstration ride by a licensed dealer or his employee is excepted from the provisions hereof.
- C. No motorcycle or motor scooter shall be ridden upon any sidewalk.
- D. Handlebars on motorcycles and motor scooters shall not exceed twelve (12) inches in height, measured from the crown or point of attachment.
- E. No rider of a motorcycle or motor scooter shall hold to any moving vehicle for the purpose of being propelled.
- F. No driver of a motorcycle, motor scooter or bicycle shall pass other vehicles between lanes of traffic traveling in the same direction, authorized emergency vehicles excepted.
- G. No person shall operate any motorcycle or any motor scooter at a speed greater than the speed limit legally posted. In no event or at any time may an operator under the age of sixteen (16) years operate a motorcycle or motor scooter at a speed greater than thirty-five (35) miles per hour.
- H. A person operating a motorcycle or motor-driven cycle shall ride only on the permanent and regular seat attached thereto.

State Law Reference: Similar provisions, 47 O.S. §§ 11-805, 11-1103.

SECTION 15-1302

EQUIPMENT REQUIRED

A. The following equipment shall be required on all motorcycles and all motor scooters on actual trail rides conducted outside of public streets, roads and highways:

1. **Rear-view mirrors.** All vehicles covered under this chapter shall be equipped with two (2) mirrors, containing a reflecting 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;
2. **Windshield.** All vehicles covered under this section 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 shall wear goggles or a face shield of material and design to protect him from foreign objects;
3. **Brakes.** All vehicles covered under this chapter shall be equipped with brakes adequate to control the movement of same to stop and hold such vehicles, including two (2) separate means of applying the brakes, one of which is effective to apply the brakes to the front wheel and one of which is effective to apply the brakes to the rear wheels. All such vehicles 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;
4. **Speedometer.** All vehicles covered under this chapter shall be equipped with a properly operating speedometer capable of registering at least the maximum legal speed limit for the vehicle;
5. **Fender.** All vehicles covered under this chapter shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer;
6. **Lights.** All vehicles covered under this chapter shall carry at least one lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the same are proceeding, and one tail lamp mounted in the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear; and such lights required by this chapter shall be burning whenever such vehicles are in motion during the period from one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) 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 ahead;
7. All vehicles covered under this section shall carry on the rear thereof, either as a part of the tail light or separately, at least one red reflector which shall be of such size and characteristics as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of headlights on motor vehicles;
8. **Muffler.** No person shall operate a vehicle covered under this section with an exhaust system modified so that motor noise is increased greater than that of the original muffler equipment provided by the manufacturer of the vehicle.

State Law Reference: Equipment required, 47 O.S. §§ 12-203, 12-205, 12-206, 12-301.

SECTION 15-1303

HEADGEAR REQUIRED

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

SECTION 15-1304

LICENSE REQUIRED

All operators of a motorcycle or motor-driven cycle shall have a current, valid license issued by the state and conform to any specific restriction contained thereon.

CHAPTER 14

BICYCLES

SECTION – DESCRIPTION

- 15-1401 Effects of regulations; parent's duty
 - 15-1402 Applicability of traffic laws
 - 15-1403 Obedience to traffic-control devices
 - 15-1404 Manner of riding bicycle
 - 15-1405 Riding on roads and bicycle paths
 - 15-1406 Speed restrictions
 - 15-1407 Carrying articles
 - 15-1408 Parking
 - 15-1409 Riding on sidewalk prohibited
 - 15-1410 Lights and brakes
 - 15-1411 Rider not to cling to other vehicle
 - 15-1412 Signal devices
 - 15-1413 Emerging from alley, driveway or building
 - 15-1414 Penalty
-

SECTION 15-1401

EFFECTS OF REGULATIONS; PARENT'S DUTY

A. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of this chapter.

B. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to the exceptions stated herein.

State Law Reference: Operating bicycles on streets, 47 O.S. §§ 11-1201 et seq.

SECTION 15-1402

APPLICABILITY OF TRAFFIC LAWS

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road 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 can have no application.

SECTION 15-1403

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 that no right turn, left turn or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign except where such person dismounts from the bicycle to make such turn, in which event such person shall then obey the regulations applicable to pedestrians.

SECTION 15-1404

MANNER OF RIDING BICYCLE

A. A person propelling a bicycle shall not 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.

C. A person shall ride a bicycle only in the manner in which it is designed and equipped to carry the person.

SECTION 15-1405

RIDING ON ROADS AND BICYCLE PATHS

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

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

C. Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

SECTION 15-1406

SPEED RESTRICTIONS

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

SECTION 15-1407

CARRYING ARTICLES

No person operating a bicycle shall carry any package, bundle or parcel which prevents the rider from keeping at least one hand upon the handlebars.

SECTION 15-1408

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 a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

SECTION 15-1409

RIDING ON SIDEWALK PROHIBITED

- A. No person shall ride a bicycle upon a sidewalk in the business district.
 - B. Whenever a 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 the pedestrian.
 - C. The town personnel may erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon. When such signs are in place, no person shall disobey them.
-

SECTION 15-1410

LIGHTS AND BRAKES

- A. Every bicycle 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 all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
 - B. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
-

SECTION 15-1411

RIDER NOT TO CLING TO OTHER VEHICLE

No person riding upon any bicycle shall attach the same or himself to any vehicle upon a roadway.

State Law Reference: Similar provisions, 47 O.S. § 11-1204.

SECTION 15-1412

SIGNAL DEVICES

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

SECTION 15-1413

EMERGING FROM ALLEY, DRIVEWAY OR BUILDING

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

SECTION 15-1414

PENALTY

Every person convicted of a violation of any provision of this chapter shall be punished as provided in Section 1-108 of this code.

CHAPTER 15

PEDESTRIANS

SECTION – DESCRIPTION

- 15-1501 Subject to traffic-control signals
- 15-1502 Right-of-way at crosswalks
- 15-1503 Pedestrians to use right half of crosswalk
- 15-1504 Crossing at right angles
- 15-1505 When pedestrians shall yield
- 15-1506 Prohibited crossing
- 15-1507 Obedience to railroad signals
- 15-1508 Walking along roadway

- 15-1509 Hitchhiking; soliciting business
 - 15-1510 Drivers to exercise care
 - 15-1511 Playing in streets
-

SECTION 15-1501

SUBJECT TO TRAFFIC-CONTROL SIGNALS

Pedestrians shall be subject to traffic-control signals as declared in this chapter. At all other places, pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter.

State Law References: Pedestrians' rights and duties, 47 O.S. § 11-501 et seq.; power of town to require obedience to traffic-control signals, 47 O.S. § 15-107.

SECTION 15-1502

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 the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

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

SECTION 15-1503

PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

SECTION 15-1504

CROSSING AT RIGHT ANGLES

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

SECTION 15-1505

WHEN PEDESTRIANS SHALL YIELD

- A. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an 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. This section shall not apply under the conditions stated in Section 15-1506 of this code when pedestrians are prohibited from crossing at certain designated places.
-

SECTION 15-1506

PROHIBITED CROSSING

Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

SECTION 15-1507

OBEDIENCE TO RAILROAD SIGNALS

No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

SECTION 15-1508

WALKING ALONG ROADWAY

A. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway.

B. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall when practicable 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.

State Law Reference: Similar provisions, 47 O.S. § 11-506.

SECTION 15-1509

HITCHHIKING; SOLICITING BUSINESS

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

B. No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

SECTION 15-1510

DRIVERS TO EXERCISE CARE

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

SECTION 15-1511

PLAYING IN STREETS

A. No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk. When so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

B. This section shall not apply upon any street while set aside as a play street as authorized by this code.

CHAPTER 16

ENFORCEMENT

SECTION – DESCRIPTION

- 15-1601 Authority of police and fire officials
 - 15-1602 Authority to direct traffic
 - 15-1603 Emergency and experimental regulations
 - 15-1604 Obedience to police and fire officials required
 - 15-1605 Applicability to public employees
 - 15-1606 Authorized emergency vehicles
 - 15-1607 Persons working on streets exempted
 - 15-1608 Closing streets for repairs; barricades required; use of street restricted
 - 15-1609 Riding animals and animal-drawn vehicles
-

SECTION 15-1601

AUTHORITY OF POLICE AND FIRE OFFICIALS

A. It is the duty of all police officers of the police department to enforce the street traffic regulations of this town and the state, to make arrests for traffic violations, and to investigate accidents.

B. Officers of the police department or such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand, mechanical signals or signs in conformance with the provisions of this chapter. In the event of a fire or other emergency as herein defined, or other unusual traffic conditions, to expedite traffic or safeguard pedestrians, officers of the police department or fire department may direct and take control of traffic as conditions may require, and, as near as practicable, follow the general provisions of this chapter.

C. Officers of the fire department, when at the scene of a fire or other emergency, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

SECTION 15-1602

AUTHORITY TO DIRECT TRAFFIC

All traffic in the town shall be controlled by ordinances of the town and the laws of the state relating thereto. No person shall direct or attempt to direct traffic except police officers and other officers authorized by the town.

SECTION 15-1603

EMERGENCY AND EXPERIMENTAL REGULATIONS

A. The town personnel is empowered 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.

B. The town may have traffic-control devices tested under actual conditions of traffic.

SECTION 15-1604

OBEDIENCE TO POLICE AND FIRE OFFICIALS REQUIRED

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

State Law Reference: Similar provisions, 47 O.S. § 11-103.

Cross Reference: See also Part 10 of this code on obedience, cooperation and noninterference with police and fire officials.

SECTION 15-1605

APPLICABILITY TO PUBLIC EMPLOYEES

A. This chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, any state, county, town or other governmental unit or agency, as well as to other vehicles. No such driver shall violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by state statute.

B. This chapter shall not apply to the military forces of the United States and organizations of the National Guard when performing any military duty.

SECTION 15-1606

AUTHORIZED EMERGENCY VEHICLES

A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or ordinance or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

B. The driver of an authorized emergency vehicle may:

1. Park or stand irrespective of the provisions of this chapter;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
3. Exceed the maximum speed limits so long as he does not endanger life or property; and
4. Disregard regulations governing direction of movement or turning in specific directions.

C. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible and visual signals as required by law, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

D. The operator of every authorized emergency vehicle, prior to commencing an emergency run, must report to the police department and advise the police department of his destination; and if such a hazard exists as would endanger the public, the police department shall have the authority to prohibit the emergency run.

E. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor protect the driver from the consequences of his reckless disregard for the safety of others.

State Law Reference: Similar provisions, 47 O.S. § 11-106; required emergency vehicle signals, procedures, 47 O.S. § 12-218.

SECTION 15-1607

PERSONS WORKING ON STREETS EXEMPTED

A. Unless specifically made applicable, the provisions of this chapter shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles and other equipment while actually engaged in

construction, maintenance or repair of public utilities. All highway and public utility operations shall be protected by adequate warning signs, signals, devices or flagmen.

B. This section shall not relieve any driver exempted by this section from the duty to drive with due regard for the safety of all persons, nor from the consequences of driving while intoxicated.

State Law Reference: Similar provisions, 47 O.S. § 11-105.

SECTION 15-1608

CLOSING STREETS FOR REPAIRS; BARRICADES REQUIRED; USE OF STREET RESTRICTED

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

B. When any street has been closed to traffic under the provisions of Subsection A of this section, and traffic-control devices or barricades have been erected, no person shall drive any vehicle through, under, over or around such traffic-control devices or barricades, or otherwise enter the closed area. This subsection shall not apply to persons while engaged in such 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 town personnel, contractor, or utility company concerned shall erect or cause to be erected traffic-control devices to warn and guide the public. Every person using such 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 15-1609

RIDING ANIMALS AND 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.

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

CHAPTER 17

IMPOUNDMENT

SECTION – DESCRIPTION

- 15-1701 Purpose and effect
 - 15-1702 Police granted authority to impound vehicles
 - 15-1703 Disabled vehicles
 - 15-1704 Vehicle constitutes traffic hazard
 - 15-1705 Illegal trespass by vehicle
 - 15-1706 Vehicles parked in prohibited zone
 - 15-1707 Vehicles parked in intersection
 - 15-1708 Stolen vehicles, recovery by police
 - 15-1709 Arrest and detention of driver of vehicle
 - 15-1710 Unlicensed vehicles
 - 15-1711 Place of impoundment
 - 15-1712 Duration of impoundment
 - 15-1713 Duration; Release; Impound fee
 - 15-1714 Duration; Release; Impound fee
 - 15-1715 Redemption of impounded vehicle; Contest of impoundment
 - 15-1716 Penalty
-

SECTION 15-1701

PURPOSE AND EFFECT OF IMPOUNDMENT PROVISIONS

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

SECTION 15-1702

POLICE GRANTED AUTHORITY TO IMPOUND VEHICLES

Members of the Police Department are hereby authorized, within the limits set forth in this chapter, to impound vehicles under the circumstances hereinafter enumerated and as provided elsewhere in the Code. No impoundment shall be valid unless made under order of an authorized police officer and in strict adherence with the procedures required in this chapter.

SECTION 15-1703

VEHICLES ABANDONED ON ROADWAYS; IMPOUNDMENT

A motor vehicle abandoned on a highway, shoulder or right-of-way may be impounded if after a period of forty-eight (48) hours there is no evidence of an apparent owner who intends to remove the vehicle. If an officer has reasonable cause to believe a vehicle has been abandoned in a location which would be hazardous to the free flow of traffic or be highly susceptible to damage from vandalism or other harm, he shall have the authority to remove or direct the removal of the vehicle immediately. At the time of ordering the removal of an abandoned vehicle, the authorizing officer shall also determine the sale value of the vehicle and certify that amount on the removal order. **State law reference:** 47 O.S. §§ 901, 902.

SECTION 15-1704

VEHICLES ON BRIDGES; IMPOUNDMENT

An unattended vehicle left upon any bridge, viaduct or causeway or within the structure of a grade separation may be impounded.

SECTION 15-1705

VEHICLES CONSTITUTING TRAFFIC HAZARDS; IMPOUNDMENT

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 may be impounded.

SECTION 15-1706

VEHICLES PARKED IN A PROHIBITED ZONE; IMPOUNDMENT

Any unattended vehicle parked at the street curbing of any zone where parking is prohibited and where official signs are in place giving notice thereof, in violation of the prohibition, may be impounded.

SECTION 15-1707

VEHICLES BLOCKING FIRE EXITS OR HYDRANTS; IMPOUNDMENT

Any vehicle parked in a manner that it blocks a fire escape ladder, device or exit or blocks ready access to a fire hydrant or marked fire lane may be impounded.

SECTION 15-1708

VEHICLES PARKED IN INTERSECTIONS; IMPOUNDMENT

Any unattended vehicle illegally parked in any street intersection may 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 15-1709

STOLEN VEHICLES RECOVERED BY POLICE; IMPOUNDMENT

A. Whenever a stolen vehicle is located by police and the registered owner cannot be found within a reasonable time not exceeding thirty (30) minutes, or cannot be determined from the registration 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 or her own arrangement for the removal of the vehicle within the period of thirty (30) minutes from the time he or she is 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 15-1710

ARREST AND DETENTION OF DRIVER

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 leave or will leave a vehicle unattended on any street or highway, the vehicle may be impounded.

SECTION 15-1711

PLACE OF IMPOUNDMENT

Every vehicle that is impounded under the provisions of this chapter shall be removed to the nearest garage or place of safekeeping designated by the City Council and to no other place.

SECTION 15-1712

IMPOUNDMENT

A. Any police officer is hereby authorized to cause to be impounded any vehicle found upon public roads, highways, streets, private parking lots accessible to the public, other public places or upon any private road, street, alley or lane which provides access to one or more single-family or multifamily dwellings when:

1. Report has been made that the vehicle has been stolen or taken without the consent of its owner and the owner cannot be located, is unable or willing to effect the removal of the vehicle within a reasonable amount of time not to exceed one hour, or the preservation and collection of evidence requires removal.
2. The officer has probable cause that the vehicle has been used in the commission of a felony offense and the officer has obtained a search warrant authorizing the search and seizure of the vehicle;
3. The vehicle bears a license plate which has expired for a period in excess of ninety (90) days, bears a license plate which has been altered or tampered with, or bears a temporary tag issued more than thirty (30) days prior to the impoundment, or bears no license plate which would be in conformance with the Oklahoma Vehicle License Act (47 O.S. § 1101 et seq.);
4. The person driving or in control of the vehicle is arrested for an alleged offense for which

the officer is required by law to take the person arrested or summoned before a proper magistrate without necessary delay;

5. At the scene of an accident, if the owner or driver is not in a position to take charge of the vehicle and direct or request its proper removal;
6. The officer has probable cause that the person operating the vehicle has not been granted driving privileges or that the driving privileges of the person are currently suspended, revoked, canceled, denied or disqualified;
7. A police officer effects the arrest of the owner or operator of a vehicle out of the vehicle;
8. The officer has probable cause that the vehicle is not insured as required by the Compulsory Insurance Law of this state;
9. The vehicle is involved in a fatal motor vehicle collision and is needed for evidentiary purposes;
10. The vehicle has any evidentiary value, has directly or indirectly been involved in the commission of a crime, has been used to transport any person who has committed any offense involving the use of a firearm, or was directly or indirectly associated with a drive-by shooting; or
11. Impoundment is authorized by any other provision in this chapter or in this Code.

B. Any police officer who has directed the impoundment of any vehicle, or an authorized person in the employing agency of the officer, shall within seventy-two (72) hours of the impoundment notify the Department of Public Safety of such impoundment. The notice of impoundment shall contain the name and address of the owner, if known, the make, model, vehicle identification number, registration number, date stored, place stored, and the estimated value of the vehicle as determined by the officer. This section shall not be construed to create any civil liability upon the state, any agency of the state, or employee thereof for failure to provide such notice to the owner or lien holder.

C. The contents of all vehicles towed at the request of Kiowa Police Department shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- a. An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- b. In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- c. Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- d. Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses,

fanny packs, personal organizers, briefcases or other closed containers designed for carrying money, small valuables or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuable or hazardous materials. Responses should be noted in the inventory report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner or booked into property for safekeeping.

Any cash, jewelry or other small valuables located during the inventory process will be held for safekeeping, in accordance with the KPD Policy. A copy of the property receipt should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of KPD members and protecting the KPD against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

SECTION 15-1713

SEIZED AND IMPOUNDED VEHICLE STORAGE

A. Any vehicle seized or impounded by the city may, at the direction of the Police Department, be transported to such place as the city may designate.

B. The owner of the vehicle shall be responsible to the city or the city's designee for the following costs prior to the city or the city's designee releasing the vehicle. (The Chief of Police, or his or her designee, may, to meet the best ends of justice or expedite on-going investigations, release the owner of part or all of the cost owed the city or the city's designee.)

1. The actual cost to have said vehicle transported to the place of storage, including the actual towing expenses.
2. A storage charge as allowed by law charged by the city's designee. For purposes of this section, the day of receipt shall constitute the first day and the day of release shall constitute the last day.
3. All fees incurred by the city or the city's designee, including lien filing fees, to either return the vehicle to the owner or sell the vehicle pursuant to statutory authority. Prior to releasing the vehicle, the owner shall obtain an order for release from the Kiowa Police Department and pay to

the city's designee all costs listed above. If the vehicle is impounded pursuant to any lawful authority, then those provisions shall apply in addition to the requirements of this section. If the vehicle is impounded pursuant to the provisions of 15-1712(4) through (10), then the owner of the vehicle, or anyone authorized by the owner of the vehicle, shall show proof of valid security verification, valid operator's license and valid vehicle tag registration before the Police Department will issue an order for release of the vehicle. If the owner fails to claim the vehicle within the time prescribed by the law, then the Chief of Police, or the city's designee, is directed to institute proceedings to have the vehicle sold under the applicable statutes of the State of Oklahoma.

SECTION 15-1714

DURATION; RELEASE; IMPOUND FEE

- A. Any vehicle impounded under the authority granted herein shall be stored and held safely at the place of safekeeping designated by the City until a written order for its release, signed by an authorized officer of the city, has been issued.
- B. The order for release shall be conditioned upon presentation of sufficient proof of ownership and/or interest in the impounded vehicle, proof of compliance with the compulsory insurance law unless the vehicle is lawfully towed from impound, and the payment of all impound costs and accrued storage charges against the vehicle.
- C. Must have two licensed drivers present for release. The releasing officer may waive this requirement.
- D. For vehicles impounded under the authority of 15-1712, such order of release shall be conditioned upon the payment of an impound fee in the amount of One Hundred Dollars (\$100.00) by the person to whom the release is issued. This impound fee shall be independent of any fines, costs, or fees which may be assessed from citations issued to any person for violation of traffic laws or other ordinance violations involving the impounded vehicle and in addition to any fees owed to the towing service for the impoundment and storage. The Chief of Police is hereby authorized to adopt rules and regulations consistent with this chapter to implement this section.
- E. There is hereby created within the police fund, a special account into which all impound fees shall be deposited from which expenditures may be used for police equipment and training.

SECTION 15-1715

REDEMPTION OF IMPOUNDED VEHICLE; CONTEST OF IMPOUNDMENT

A. Presentation of the order of release as provided at the place of impoundment, together with payment or tender of payment of all impoundment costs and accrued storage charges due, shall entitle the person presenting such release to obtain possession of such vehicle.

B. Contest of impoundment; Hearing

Whenever any vehicle has been impounded in the manner provided for by this division, the registered or legal owner of the vehicle may contest the validity of the removal or storage by filing a written request for a hearing. The indication in the appropriate box on the form provided by the Police Department shall satisfy the written request requirement of this section.

The written request may be filed before or after the vehicle is retrieved from the storage operator. Provided, however, the public agency shall not be required to conduct a hearing if the request is received more than ten (10) days following actual or constructive notice to the owner or driver of the vehicle that said vehicle has been so removed or stored. Any such hearing shall be scheduled within seventy-two (72) hours of the request, excluding weekends and holidays.

The public agency may authorize its own officer or employee to conduct the hearing, so long as the hearing officer is not the same person who directed the removal or storage of the vehicle. The hearing may, with the consent of the person requesting the hearing, be scheduled and conducted on the merits by telephone conference call.

The hearing officer shall apply the law to the evidence and make a determination whether the vehicle removal and storage was justified. If the removal and storage are deemed justified, the vehicle owner shall bear the cost of reasonable removal and storage. If deemed unjustified, the owner shall not be charged any fees or costs relating to the impoundment or storage of the vehicle. In either case, prior to the release of the vehicle to the owner or agent, information required under Section 15-1712 shall be furnished to the City. The hearing officer shall also be authorized to reduce the accrued fees and costs as determined appropriate based upon the facts.

Failure of either the registered or legal owner, or their agent, to timely request or to timely appear upon a scheduled hearing shall satisfy the hearing requirement of this section.

SECTION 15-1716

PENALTY

Except where a different punishment is prescribed, every person violating any of the provisions of this traffic code shall be guilty of an offense and, upon conviction thereof, shall be fined or punished as provided in _____.

CHAPTER 18

PENALTIES AND ARREST PROCEDURE

SECTION – DESCRIPTION

15-1801 Penalty

15-1802 Citation tags on parked vehicles

SECTION 15-1801

PENALTY

- A. No person shall do any act forbidden or fail to perform any act required in this part.
 - B. No parent of any child or the guardian of a ward shall authorize a ward to violate any provisions of this part.
 - C. No person shall authorize or knowingly permit any vehicle registered in his name to be driven, or to stand, or to be parked in violation of any provisions of this part.
 - D. Any person who violates any provision of this part, or performs any unlawful act as defined in this part, or fails to perform any act required in this part is guilty of an offense and upon conviction thereof shall be punished as provided in Section 1-108 of this code.
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SECTION 15-1802

CITATION TAGS ON PARKED VEHICLES

In cases where vehicles without drivers are parked or stopped in violation of this part, police officers and other persons appointed by the chief of police shall affix citation tags to the vehicles. A violator of any provision of this part who has been given a citation tag and fails to appear in accordance with the instructions of such tag shall be subject to a separate offense as provided in Section 1-108.