

PART 15

TRAFFIC AND VEHICLES

CHAPTER 1

GENERAL PROVISIONS

Section 15-101	Citation of chapter.
Section 15-102	Traffic code controlling
Section 15-103	Definitions.
Section 15-104	Adoption of state traffic code.
Section 15-105	Enforcement on boundary line streets.

CHAPTER 2

ENFORCEMENT AND GENERAL PROVISIONS

Section 15-201	Enforcement of traffic laws; establishment of traffic control division.
Section 15-202	Direction of traffic by hand or voice.
Section 15-203	Direction of traffic by unauthorized persons.
Section 15-204	Obedience to police and fire officials.
Section 15-205	Emergency and experimental regulations.
Section 15-206	Push carts, riding animals, or driving animal-drawn vehicles to comply with code.
Section 15-207	Use of coasters, rollerskates, and similar devices restricted.
Section 15-208	Public officers and employees to obey traffic regulations.
Section 15-209	Persons working on streets, exceptions.
Section 15-210	Maintenance and construction zones.
Section 15-211	Authorized of vehicles on approach of authorized emergency vehicles.
Section 15-212	Operation of vehicles on approach of authorized emergency vehicles.
Section 15-213	Following emergency vehicles prohibited.
Section 15-214	Crossing fire hose.
Section 15-215	Possession of valid driver's license required.
Section 15-216	Operation of vehicle on invalid license prohibited.
Section 15-217	Unlawful to operate vehicle without state vehicle license.
Section 15-218	Permitting unauthorized person to drive prohibited.
Section 15-219	Accidents, duty to stop, leaving scene of accident.
Section 15-220	Issuance of citation tags.
Section 15-221	Failure to obey citation.
Section 15-222	Failure to comply with traffic citations attached to parked vehicle.
Section 15-223	Presumption in reference to illegal parking.
Section 15-224	Illegal cancellation of traffic citations.
Section 15-225	Disposition of records of traffic citations, warrants, and complaints.
Section 15-226	Court records; abstract to be sent to State Department of Public Safety.
Section 15-227	Insurance or certificate required.
Section 15-228	Mandatory use of seat belts.
Section 15-229	Vehicle Child Restraints

CHAPTER 1

GENERAL PROVISIONS

Section 15-101	Citation of chapter.
Section 15-102	Traffic code controlling.
Section 15-103	Definitions.
Section 15-104	Adoption of state traffic code.
Section 15-105	Enforcement on boundary line streets.

SECTION 15-101 CITATION OF CHAPTER.

This chapter and all amendments hereto may be cited or referred to as the "Traffic Code, City of Dewey", and may so appear upon all official documents, records or instruments. (Prior Code, Chapter Q)

SECTION 15-102 TRAFFIC CODE CONTROLLING.

Except as specifically provided by law as set forth in this chapter, the traffic code shall be controlling and apply to the use of city streets, alleys, thoroughfares, parks, parkways, public parking lots, school driveways, streets, parking lots, or any other public right-of-way or municipally-owned land, including streets and other ways that form the boundary line of the city, by pedestrians and by vehicles of every kind whether self-propelled or otherwise and whether moving or at rest. (Prior Code, Chapter Q)

SECTION 15-103 DEFINITIONS.

As used herein:

1. "Alley" means any narrow highway ordinarily located in the interior portion of platted blocks and ordinarily used for service or delivery purposes at the rear of stores, dwellings, or buildings;
2. "Ambulance" means a motor vehicle constructed, reconstructed or arranged for the purpose of transporting ill, sick, or injured persons;
3. "Bicycle" means a device propelled by human power upon which any person may ride, having two (2) tandem wheels;
4. "Bus" means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation;
5. "Business district" means the territory contiguous to, and including a highway if there are buildings within six hundred (600) feet of the highway in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and 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;
6. "Controlled access highway" means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as

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

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

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

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

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

21. "Motor vehicle" means every vehicle which is self-propelled;

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

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

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

25. "Pedestrian" means any person afoot;

26. "Police officer" means every officer of the municipal police department, or any officer authorized to direct or regulate traffic, or to make arrests for violation of traffic regulations;

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

28. "Public parking lot" means a parking lot or right-of-way dedicated to public use or owned by the state or a political subdivision thereof;

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

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

situated at intervals of less than one hundred (100) feet for a distance of a quarter mile or more;

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

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

(Prior Code, Chapter Q)

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

SECTION 15-104 ADOPTION OF STATE TRAFFIC CODE.

The provisions of the State Motor Vehicle Code, Sections 1-101 et seq. of Title 47 of the Oklahoma Statutes, and the Rules of the Road, Sections 10-101 et seq. of Title 47 of the Oklahoma Statutes, are hereby adopted and incorporated herein by reference, and are enforceable by the city within the city limits as fully as if set out at length herein.

State Law Reference: State rules of the road, 47 O.S. Sections 10-101 et seq.; State Motor Vehicle Code, 47 O.S. Sections 1-101 et seq.

SECTION 15-105 ENFORCEMENT ON BOUNDARY LINE STREETS.

The ordinances of the city governing and regulating the operation of motor vehicles and other traffic upon roads, streets and highways shall also be effective and enforced as governing and regulating the operation of motor vehicles and other traffic upon roads, streets and highways that form boundary lines of the city.

State Law Reference: Similar provisions, 47 O.S. Sec. 108.

TRAFFIC AND VEHICLES

Sec. 15-201

Sec. 15-201

CHAPTER 2 ENFORCEMENT AND GENERAL PROVISIONS

Section 15-201	Enforcement of traffic laws; establishment of traffic control division.
Section 15-202	Direction of traffic by hand or voice.
Section 15-203	Direction of traffic by unauthorized persons.
Section 15-204	Obedience to police and fire officials.
Section 15-205	Emergency and experimental regulations.
Section 15-206	Push carts, riding animals, or driving animal-drawn vehicles to comply with code.
Section 15-207	Use of coasters, rollerskates, and similar devices restricted.
Section 15-208	Public officers and employees to obey traffic regulations.
Section 15-209	Persons working on streets, exceptions.
Section 15-210	Maintenance and construction zones.
Section 15-211	Authorized emergency vehicles.
Section 15-212	Operation of vehicles on approach of authorized emergency vehicles.
Section 15-213	Following emergency vehicles prohibited.
Section 15-214	Crossing fire hose.
Section 15-215	Possession of valid driver's license required.
Section 15-216	Operation of vehicle on invalid license prohibited.
Section 15-217	Unlawful to operate vehicle without state vehicle license.
Section 15-218	Permitting unauthorized person to drive prohibited.
Section 15-219	Accidents, duty to stop, leaving scene of accident.
Section 15-220	Issuance of citation tags.
Section 15-221	Failure to obey citation.
Section 15-222	Failure to comply with traffic citations attached to parked vehicle.
Section 15-223	Presumption in reference to illegal parking.
Section 15-224	Illegal cancellation of traffic citations.
Section 15-225	Disposition and records of traffic citations, warrants, and complaints.
Section 15-226	Court records; abstract to be sent to State Department of Public Safety.
Section 15-227	Insurance or certificate required.
Section 15-228	Mandatory use of seat belts.
Section 15-229	Vehicle Child Restraints.

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

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

city. Officers may issue written notice to appear to any driver of a vehicle involved in an accident when, based on personal investigation, the officer has reasonable and probable grounds to believe that the person has committed an offense under the provision of the traffic code in connection with the accident. (Prior Code, Chapter Q)

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

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

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

SECTION 15-203 DIRECTION OF TRAFFIC BY UNAUTHORIZED PERSON.

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

SECTION 15-204 OBEDIENCE TO POLICE AND FIRE OFFICIALS.

No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer or fire department officials. (Prior Code, Chapter Q)

SECTION 15-205 EMERGENCY AND EXPERIMENTAL REGULATIONS

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

B. The city manager may have traffic control devices tested under actual conditions of traffic. (Prior Code, Chapter Q)

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

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

State Law Reference: Similar provisions; 47 O.S. Section 11-104.

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

No person upon rollerskates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a

Sec. 15-207

walk; and when so crossing, such person shall 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 as authorized by ordinances of this city. (Prior Code, Chapter Q)

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

The provisions of this part shall apply to the driver of any vehicle owned by or used in the service of the United States Government, any state, county, city, or governmental unit or agency, as well as to other vehicles. It is unlawful for any such driver to violate any of the provisions of this part, except as otherwise permitted in this part by state statute. This part shall not apply to the military forces of the United States and organizations of the National Guard when performing any military duty. (Prior Code, Chapter Q)

State Law Reference: Municipal drivers to obey state rules of the road, 47 O.S. Section 16-103.

SECTION 15-209 PERSONS WORKING ON STREETS, EXCEPTIONS.

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

SECTION 15-210 MAINTENANCE AND CONSTRUCTION ZONES.

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

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

C. Whenever construction, repair, or maintenance of any street or utility line or facility is being performed under traffic, the city personnel, contractor, or utility company concerned shall erect, or cause to be erected, traffic control devices to warn and guide the public. Every person using the street shall obey all signs, signals,

markings, flagpersons, or other traffic control devices which are placed to regulate, control, and guide traffic through the construction or maintenance area. (Prior Code, Chapter Q)

SECTION 15-211 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 stated in this section.

B. The driver of an authorized emergency vehicle may do any of the following when in pursuit of an actual or suspected violator of the law or ordinance or when responding to but not upon returning from a fire alarm:

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

C. The exemptions granted in this section to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible 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 provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (Prior Code, Chapter Q).

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

SECTION 15-212 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

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

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

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

SECTION 15-213 FOLLOWING EMERGENCY VEHICLES PROHIBITED.

The driver of any vehicle other than one on official business shall not follow any police vehicle, ambulance, civil defense vehicle, fire apparatus, or other emergency vehicle traveling in response to an emergency call or request closer than five hundred (500) feet, or drive into or park such vehicle within the block where the emergency vehicle has stopped in answer to an emergency call. (Prior Code, Chapter Q)

State Law Reference: Similar provisions, 47 O.S. Section 11-1108(a).

SECTION 15-214 CROSSING FIRE HOSE.

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

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

SECTION 15-215 POSSESSION OF VALID DRIVER'S LICENSE REQUIRED.

A. No person shall operate any motor vehicle on the highways without having in his possession at all times, when operating such motor vehicle, an unrevoked or unsuspended operator's or chauffeur's license as required by the laws of the state, unless such person is specifically exempted from such laws by the provisions thereof. No person charged with violating this section shall be convicted if he produces in court an operator's or chauffeur's license issued to him and valid at the time of his arrest.

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

State Law Reference: Driver's licenses, 47 O.S. Section 6-101.

SECTION 15-216 OPERATION OF VEHICLE ON INVALID LICENSE PROHIBITED.

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

SECTION 15-217 UNLAWFUL TO OPERATE VEHICLE WITHOUT STATE VEHICLE LICENSE.

It is unlawful to operate a vehicle of any kind upon a street of the city without a current and valid state vehicle license as may be required by law or to fail to display the state vehicle license as may be required by law. (Ord. No. 78-1256, 7/78)

SECTION 15-218 PERMITTING UNAUTHORIZED PERSON TO DRIVE PROHIBITED.

No person shall authorize or knowingly permit any vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized under the provisions of the laws of the state to operate such vehicle. (Prior Code, Chapter Q)

SECTION 15-219 ACCIDENTS, DUTY TO STOP, LEAVING SCENE OF ACCIDENT.

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

B. The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or in which it is apparent that damage to one vehicle or to the property is in excess of Three Hundred Dollars (\$300.00) shall, as soon as practicable, report such accident to a police officer or to the police department. If a driver makes out a written report of the accident in the office of the police department as soon as practicable after the accident, which report is to be forwarded to the State Department of Public Safety in accordance with state law, the driver shall be deemed to be in compliance with this section.

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

State Law Reference: Similar provisions, 47 O.S. Section 6-303.

SECTION 15-220 ISSUANCE OF CITATION TAGS.

A. Police officers are hereby authorized to give notice to persons violating provisions of this part by delivering citation tags to violators or, in cases where vehicles without drivers are parked or stopped in violation of this chapter, by affixing such tags to the vehicles by means of which the violation occurred. Such citation tags, among other things, shall bear briefly the charge, shall bear the registration number of the vehicle, and shall direct the violator to present the tag at the police station or other designated place within the time as may be specified thereon.

B. Nothing in this section shall be construed to abridge the power of a police officer to arrest any violator and take him into custody.

C. The city manager may require that the police officers use citation tags furnished by the city clerk and that such tags are serially numbered, and may regulate the use and handling of the citation tags. (Prior Code, Chapter Q)

SECTION 15-221 FAILURE TO OBEY CITATION.

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

SECTION 15-222 FAILURE TO COMPLY WITH TRAFFIC CITATIONS ATTACHED TO PARKED VEHICLE.

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

SECTION 15-223 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.

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

B. The presumption in Subsection A of this section shall apply only when the procedure as prescribed in this chapter has been followed. (Prior Code, Chapter Q)

SECTION 15-224 ILLEGAL CANCELLATION OF TRAFFIC CITATIONS.

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

SECTION 15-225 DISPOSITION AND RECORDS OF TRAFFIC CITATIONS, WARRANTS, AND COMPLAINTS.

A. Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or any traffic law of this city shall deposit the original and a duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the municipal court.

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

C. The chief of police shall maintain a record of all warrants issued by the municipal court which are delivered to the police department for service, and of the final disposition of the warrants.

D. No member of the police department or other officer or public employee shall dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this chapter. (Prior Code, Chapter Q)

SECTION 15-226 COURT RECORDS; ABSTRACT TO BE SENT TO STATE DEPARTMENT OF PUBLIC SAFETY.

A. The municipal judge shall keep a record of every traffic citation deposited with or presented to the court and shall keep a record of every official action by the court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture.

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

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

SECTION 15-227 INSURANCE OR CERTIFICATE REQUIRED.

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

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

1. Any vehicle owned or leased by the federal or state government, or any agency or political subdivision thereof;

2. Any vehicle bearing the name, symbol or logo of the business, corporation or utility on the exterior and which is in compliance with the Compulsory Insurance Law according to records of the Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy;

3. Any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission;

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

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

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

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

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

SECTION 15-228 MANDATORY USE OF SEAT BELTS

A. Every operator and front seat passenger of a passenger car, pickup truck, or van operated in this municipality 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 mean "automobile" as defined in Section 22.1 of Title 47 of the Oklahoma Statutes, except that "passenger car" shall not include trucks, truck-tractors, recreational vehicle, motorcycles or motorized bicycles.

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.

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. This section shall not apply to any passenger vehicle which was manufactured or assembled before the 1966 models, unless such vehicle is now equipped with a properly adjusted and fastened safety seat belt system.

E. No law enforcement officer shall make routine stops of motorists for the purpose of enforcing this act.

F. Any person convicted of violating this Section shall be punished by a fine of Ten Dollars (\$10.00) and shall pay court costs. (Ord. No. 89-1337-A)

SECTION 15-229 VEHICLE CHILD RESTRAINTS

The driver of a motor vehicle when transporting a child under the age of four (4), shall provide, and insure the child is in a child passenger restraint system that is properly secured by the seat belt in the rear seat of the motor vehicle, while the vehicle is in motion.

A. Child passenger restraint system means an infant or child passenger restraint system that meets the federal standards for crash-tested restraint systems as set by the United States Department of Transportation.

Children four (4) but under six (6) years of age shall be protected by a child passenger restraint system or a factory installed seat belt. (Ordinance 97-1376, 4/7/97)

Traffic and Vehicles

CHAPTER 3

VEHICLE EQUIPMENT, INSPECTION

Section 15-301	Certain vehicles prohibited; vehicles injurious to streets.
Section 15-302	Obstructive and dangerous vehicles.
Section 15-303	Equipment.
Section 15-304	Mufflers, cut-outs, vehicle and cycles.
Section 15-305	Width, height, length, and load.
Section 15-306	Inspection of vehicles.
Section 15-307	Towing, trailers, trailer hitch and safety chain.

CHAPTER 4

SPEED REGULATIONS

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

CHAPTER 5

DRIVING, OVERTAKING, PASSING

Section 15-501	Changing lanes.
Section 15-502	Driving on right side of roadway required; exceptions.
Section 15-503	When overtaking on the right is permitted.
Section 15-504	Overtaking a vehicle on the left.
Section 15-505	Limitations on overtaking on the left; exception.
Section 15-506	Passing vehicles proceeding in opposite directions.
Section 15-507	One-way roadways and rotary traffic islands.
Section 15-508	Following too closely
Section 15-509	No passing zones.
Section 15-510	Driving through funeral or other procession prohibited; exceptions.
Section 15-511	Drivers in a procession.
Section 15-512	Funeral processions to be identified.
Section 15-513	Overtaking and passing in school zones.
Section 15-514	Overtaking and passing school bus.
Section 15-515	School bus requirements; lights; signs; painting.
Section 15-516	Driving of vehicle on sidewalk prohibited; exception.
Section 15-517	Limitations on backing vehicle.
Section 15-518	Limitation on use of motorcycles, bicycles and motor scooters.
Section 15-519	Required motorcycle equipment, headgear.
Section 15-520	Clinging to vehicles prohibited.
Section 15-521	Entering and leaving controlled access highways.
Section 15-522	Reckless driving.
Section 15-523	Careless or negligent driving, stopping, or parking.
Section 15-524	Full time and attention required.
Section 15-525	Requirement of any person driving a vehicle on a public way to operate same in a careful and prudent manner.

CHAPTER 3

VEHICLE EQUIPMENT, INSPECTION

Section 15-301	Certain vehicles prohibited; vehicles injurious to streets.
Section 15-302	Obstructive and dangerous vehicles.
Section 15-303	Equipment.
Section 15-304	Mufflers, cut-outs, vehicles and cycles.
Section 15-305	Width, height, length, and load.
Section 15-306	Inspection of vehicles.
Section 15-307	Towing trailers, trailer hitch and safety chain.

SECTION 15-301 CERTAIN VEHICLES PROHIBITED; VEHICLES INJURIOUS TO STREETS.

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

State Law Reference: Required equipment of vehicles, 47 O.S. Sections 12-101 et seq.

SECTION 15-302 OBSTRUCTIVE AND DANGEROUS VEHICLES.

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

SECTION 15-303 EQUIPMENT.

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

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

SECTION 15-304 MUFFLERS, CUT-OUTS, VEHICLES AND CYCLES.

A. No motor vehicles with an internal combustion engine shall be operated within the city unless the exhaust from such engine is muffled by a suitable and sufficient muffler. No muffler cut-out or exhaust or vacuum whistle shall be used on any motor vehicle while operating within the city, except that exhaust whistles may be used on authorized emergency vehicles.

B. It is unlawful for any person to operate a motorcycle or motor scooter which is not equipped with a muffler or other noise reduction control device. (Prior Code, Chapter Q)

SECTION 15-305 WIDTH, HEIGHT, LENGTH, AND LOAD.

No person shall drive or convey through any street any vehicle the width, height, length, weight, or load of which exceeds that authorized by state law, except in accordance with a permit issued by state authority or by the chief of police. (Prior Code, Chapter Q)

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

SECTION 15-306 INSPECTION OF VEHICLES.

A. No person shall drive or move on any road, street, or highway of this city any motor vehicle, including motorcycles, trailers, semi-trailers, or pole trailers, which are licensed by the Oklahoma Tax Commission and operated on the streets or highways, of this city, or any combination thereof, unless the vehicle is:

1. In good working order and adjustment and is in such safe mechanical condition as not to endanger the driver or other occupants; and

2. Bearing a valid and current official inspection sticker issued by an official inspection station licensed by the Department of Public Safety.

The provisions of this section shall not apply to any housetrailer, which requires a permit to be moved upon the highways of this state.

B. Any person who violates the provisions of this section shall upon conviction thereof be subject to a fine as provided in Section 1-108 of this code. (Prior Code, Chapter Q; Ord. No. 78-1256, 7/78))

SECTION 15-307 TOWING TRAILERS, TRAILER HITCH AND SAFETY CHAIN.

No motor vehicle may be operated pulling any trailer unless the same shall be equipped with a safety chain in place and in use, having sufficient strength to maintain the connection between the motor vehicle and trailer in event of breakage or malfunction of the primary hitch. (Ord. No. 76-1233, 7/19/76)

CHAPTER 4

SPEED REGULATIONS

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

SECTION 15-401 SPEED LIMITS GENERALLY; EXCEPTIONS.

A. No vehicle shall be driven at a greater speed than twenty-five (25) miles per hour upon any street or highway within the city except:

1. Emergency vehicles being lawfully driven as provided in this code;
2. When a different speed limit is otherwise designated and posted; or
3. When a different speed limit is established in this code.

B. The city manager, subject to such direction as the council may give by motion or resolution, may reduce or increase the speed limits provided in this code, and when he does so, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit. (Prior Code, Chapter Q)

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

SECTION 15-402 SCHOOL ZONES.

No vehicle shall be driven at a greater speed than that posted speed per hour between the hours posted on any street adjacent to any school in a designated school zone on days when school is in session, unless a different speed limit or time is otherwise designated and posted. (Prior Code, Chapter Q)

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

SECTION 15-403 SPEED NEVER TO EXCEED THAT WHICH IS REASONABLE OR PRUDENT FOR EXISTING CONDITIONS; SPECIFIC LIMITS.

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

SECTION 15-404 MINIMUM SPEED REQUIREMENTS; EXCEPTION.

No vehicle shall be driven at such an unreasonably slow speed in relation to the effective maximum speed allowed as to constitute a hazard or to interfere with the

normal movement of other traffic except when the slow speed is unavoidable. (Prior Code, Chapter Q)

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

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

Traffic and Vehicles

CHAPTER 5

DRIVING, OVERTAKING, PASSING

Section 15-501	Changing lanes.
Section 15-502	Driving on right side of roadway required; exceptions.
Section 15-503	When overtaking on the right is permitted.
Section 15-504	Overtaking a vehicle on the left.
Section 15-505	Limitations on overtaking on the left; exception.
Section 15-506	Passing vehicles proceeding in opposite directions.
Section 15-507	One-way roadways and rotary traffic islands.
Section 15-508	Following too closely.
Section 15-509	No passing zones.
Section 15-510	Driving through funeral or other procession prohibited; exceptions.
Section 15-511	Drivers in a procession.
Section 15-512	Funeral processions to be identified.
Section 15-513	Overtaking and passing in school zones.
Section 15-514	Overtaking and passing school bus.
Section 15-515	School bus requirements; lights; signs; painting.
Section 15-516	Driving of vehicles on sidewalk prohibited; exception.
Section 15-517	Limitations on backing vehicle.
Section 15-518	Limitation on use of motorcycles, bicycles and motor scooters.
Section 15-519	Required motorcycle equipment, headgear.
Section 15-520	Clinging to vehicles prohibited.
Section 15-521	Entering and leaving controlled access highways.
Section 15-522	Reckless driving.
Section 15-523	Careless or negligent driving, stopping, or parking.
Section 15-524	Full time and attention required.
Section 15-525	Requirement of any person driving a vehicle on a public way to operate same in a careful and prudent manner.
Section 15-526	Driving while under the influence of drugs.
Section 15-527	Driving while under the influence of alcohol.
Section 15-528	Speed contest prohibited.
Section 15-529	Permits required for parades and processions.
Section 15-530	Driving through safety zone.
Section 15-531	Starting parked vehicle.
Section 15-532	Opening and closing vehicle doors.
Section 15-533	Obstructions to driver's view or driving mechanism.
Section 15-534	Boarding or alighting from vehicles.
Section 15-535	Unlawful riding.
Section 15-536	Service drives.
Section 15-537	Truck driving and route restrictions.
Section 15-538	Loads on vehicles.
Section 15-539	Vehicle approaching or entering intersection.
Section 15-540	Vehicle turning left at intersection.
Section 15-541	Vehicle approaching a "Yield Right-of-Way" sign.
Section 15-542	Vehicle entering through highway.
Section 15-543	Vehicles facing stop, slow, warning or caution signal.
Section 15-544	Through streets.
Section 15-545	Intersections where stop or yield required.
Section 15-546	Stop or yield sign construction and placement.
Section 15-547	Vehicle entering stop intersection.
Section 15-548	Vehicle entering yield intersection.

Traffic and Vehicles

Sec. 15-501

Sec. 15-502

Section 15-549	Vehicle entering highway from private road or driveway.
Section 15-550	Vehicles entering traffic from parking.
Section 15-551	Emerging from the alley, driveway, or building.
Section 15-552	Stop when traffic obstructed.
Section 15-553	Obedience to signal indicating approach of train.
Section 15-554	Certain vehicles to stop at all railroad grade crossings.
Section 15-555	Overtaking and passing church buses.
Section 15-556	Defining and prohibiting driver to avoid traffic control device
Section 15-557	Defining and prohibiting driver to use wireless communication devices.

SECTION 15-501 CHANGING LANES.

A. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, in addition to all other rules consistent with this subsection, a vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and has signaled for a change of course.

B. Where streets or roadways do not have marked traffic lanes, vehicles shall nevertheless keep in line or follow a straight course as nearly as practical and shall not weave in and out or turn from side to side unnecessarily. Vehicles shall move to the right or left only as necessary in slowing or stopping adjacent to the curb, in passing slow moving vehicles or making a proper approach for a turn, and this only after the driver has first ascertained that such movement can be made safely and has signaled for a change of course.

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

D. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway. Drivers of vehicles shall obey the directions of every such sign. (Prior Code, Chapter Q)

SECTION 15-502 DRIVING OR RIGHT SIDE OF ROADWAY REQUIRED; EXCEPTIONS.

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

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

B. All vehicles shall keep to the right roadway on all streets or highways which are divided into two (2) roadways.

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

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

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

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

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

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

SECTION 15-504 OVERTAKING A VEHICLE ON THE LEFT.

A. 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 street or roadway until safely clear of the overtaken vehicle.

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

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

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

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

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

(Prior Code, Chapter Q)

SECTION 15-506 **PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS.**

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

SECTION 15-507 **ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS.**

A. The city manager, subject to any directions given by the council by motion or resolution, may designate any road, street, alley, or highway, or any separate roadway under their jurisdiction for one-way traffic and shall cause appropriate signs giving notice thereof, to be erected.

B. Whenever the city manager designates any street or alley or part thereof as a one-way street or alley, the city manager shall have placed and maintained signs giving notice thereof; and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

C. Upon those streets and parts of streets and in those alleys and parts of alleys so designated as one-way streets and alleys, vehicular traffic shall move only in the direction indicated when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

D. Upon roadways designated and sign posted for one-way traffic, a vehicle shall be driven only in the direction designated.

E. A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (Prior Code, Chapter Q)

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

SECTION 15-508 **FOLLOWING TOO CLOSELY.**

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

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

SECTION 15-509 **NO PASSING ZONES.**

A. The State Department of Transportation, as regards state and federal highways, and the city manager as regards all other streets, are hereby authorized to

determine those portions of any highway where overtaking and passing to the left would be especially hazardous, and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver shall obey the directions thereof.

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

SECTION 15-510 **DRIVING THROUGH FUNERAL OR OTHER PROCESSION PROHIBITED; EXCEPTIONS.**

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

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

SECTION 15-511 **DRIVERS IN A PROCESSION.**

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

SECTION 15-512 **FUNERAL PROCESSIONS TO BE IDENTIFIED.**

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

SECTION 15-513 **OVERTAKING AND PASSING IN SCHOOL ZONES.**

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

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

SECTION 15-514 **OVERTAKING AND PASSING SCHOOL BUS.**

A. The driver of a vehicle meeting or overtaking a school bus that is stopped to take on or discharge school children, and on which the red loading signals are in operation, shall stop his vehicle before it reaches the school bus and not proceed until the loading signals are deactivated and then proceed past such school bus at a speed which is reasonable and with due caution for the safety of such school children and other occupants.

B. The driver of any vehicle when passing a school bus shall use due caution for the safety of school children and other occupants of the school bus.

C. Occupants of the school bus shall have the right-of-way when crossing the roadway immediately upon leaving the school bus. (Prior Code, Chapter Q; Ord. No. 76-1233, 7/19/76)

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

SECTION 15-515 SCHOOL BUS REQUIREMENTS; LIGHTS; SIGNS; PAINTING.

A. The provisions of Section 15-514 of this code shall be applicable only if the school bus is painted yellow and bears upon the front and rear thereon a plainly visible sign containing the words "SCHOOL BUS" in letters not less than eight (8) inches in height which can be removed or covered when the vehicle is not in use as a school bus.

B. The school bus shall be equipped with four (4) red alternately flashing warning signal lights, two (2) of which shall be located high on the front and two (2) high on the rear of the vehicle. The lights shall be a minimum of four (4) inches in diameter and shall be widely separated. (Prior Code, Chapter Q)

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

SECTION 15-516 DRIVING OF VEHICLES ON SIDEWALK PROHIBITED; EXCEPTION.

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

SECTION 15-517 LIMITATIONS ON BACKING VEHICLE.

The driver of a vehicle shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with any other traffic. No vehicle shall be backed into an intersection. (Prior Code, Chapter Q)

SECTION 15-518 LIMITATION ON USE OF MOTORCYCLES, BICYCLES AND MOTOR SCOOTERS.

A. No driver of a two-wheel or three-wheel motor vehicle or bicycle shall carry any other person upon or within such vehicle on any street or highway, except as provided in this section:

1. If any two-wheel 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 side car attachment providing a separate seat space within such side car attachment for each person riding therein so that such person shall be seated entirely within the body of the side car, then it shall be permissible for an operator who has attained the age of sixteen (16) or older to carry a passenger; and

2. A demonstration ride by a licensed dealer or his employee is permissible.

B. No motorcycle or motor scooter shall be ridden upon any sidewalk of the city.

C. No rider of a motorcycle, bicycle, or motor scooter shall hold onto any moving vehicle for the purpose of being propelled.

D. A person operating a motor scooter, motorcycle, motor-driven cycle, or motor bicycle, shall ride only on the permanent and regular seat attached thereto.

E. No driver of a motorcycle or motor scooter shall pass other vehicles in between lanes of traffic traveling in the same direction. Authorized emergency vehicles are excepted from the provisions of this subsection.

F. No person under the age of sixteen (16) shall operate any motorcycle, motor bicycle, or motor scooter within the city between and during the hours of 10:00 P.M. of one day and 4:00 A.M. of the next day. (Prior Code, Chapter Q)

SECTION 15-519 REQUIRED MOTORCYCLE EQUIPMENT, HEADGEAR.

A. In addition to all other requirements motorcycles and motor scooters shall be equipped with the following:

1. Handle bars which do not exceed twelve (12) inches in height, measured from the crown or point of attachment;

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

3. Brakes adequate to control the movement of the vehicle, to stop and hold the vehicle, including two (2) separate means of applying the brakes. One means for applying the brakes shall be to effectively apply the brakes to the front wheel, and one means shall be to effectively 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 activated upon application of the service brake;

4. A properly operating speedometer capable of registering at least the maximum legal speed limit for that vehicle shall be provided;

5. A fender over each wheel. All fenders shall be of the type provided by the manufacturer;

6. One lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the vehicle is proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear. The lights required by this paragraph shall be burning whenever the vehicle is in motion during the period from one-half (1/2) hour after sunset to one-half (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; and

7. A windshield of sufficient quality, size and thickness to protect the operator from foreign objects. In lieu of the windshield, the operator shall wear goggles or face shield of material and design to protect him from foreign objects.

B. No person under eighteen (18) years of age shall operate or ride upon any vehicle covered under this section unless the person is equipped with and wearing on the head a crash helmet of the type and design manufactured for use by the operators of such vehicles in accordance with standards adopted by the state. 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. While operating or riding such vehicle, the chin straps shall be fastened. Parade units and parade performers are exempt from the requirements of this subsection.

C. No person may operate a motorcycle or motor scooter with the exhaust system modified so that motor noise is increased greater than that of the original muffler equipment provided by the manufacturers of the vehicle. (Prior Code, Chapter Q; Ord. No. 76-1235, 9/20/76)

SECTION 15-520 CLINGING TO VEHICLES PROHIBITED.

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

SECTION 15-521 ENTERING AND LEAVING CONTROLLED ACCESS HIGHWAYS.

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

SECTION 15-522 RECKLESS DRIVING.

Any person who drives any vehicle in a wanton manner without regard for the safety of persons or property is guilty of reckless driving, and upon conviction thereof, shall be fined as provided in Section 1-108 of this code. (Prior Code, Chapter Q)

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

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

It is unlawful for any person to drive, use, operate, park, cause to be parked, or stop any vehicle:

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.

(Prior Code, Chapter Q)

SECTION 15-524 FULL TIME AND ATTENTION REQUIRED.

The operator of every vehicle while driving upon the streets and highways of the city shall devote full time and attention to such driving. (Prior Code, Chapter Q)

SECTION 15-525 REQUIREMENT OF ANY PERSON DRIVING A VEHICLE ON A PUBLIC WAY TO OPERATE SAME IN A CAREFUL AND PRUDENT MANNER.

Any person driving a vehicle on a public road or way shall drive the same in a careful and prudent manner and at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the public way and any other conditions then existing. (Prior Code, Chapter Q)

SECTION 15-526 DRIVING WHILE UNDER THE INFLUENCE OF DRUGS.

A. No person shall drive, operate, or be in actual physical control of any motor vehicle upon any highway who is under the influence of any substance included in the Uniform Controlled Dangerous Substance Act. The fact that any person charged with a violation of this provision is or has been lawfully entitled to use such controlled substance shall not constitute a defense.

B. Any person who violates this section shall be guilty of an offense and, upon conviction thereof, shall be fined as provided in Section 1-108 of this code. (Prior Code, Chapter Q; Ord. No. 81-1282, 6/15/81)

State Law Reference: Driving under influence liquor, drugs, 47 O.S. Section 11-902.

SECTION 15-527 DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL.

A. It is unlawful for any person who is under the influence of intoxicating liquor or nonintoxicating alcoholic beverage to drive, operate or be in actual physical control of any motor vehicle in the city.

B. Any person who operates a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol or drugs shall be subject to a fine as provided in Section 1-108 of this code.

C. 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, or operating a motor vehicle while his ability is impaired by the consumption of alcohol, evidence of the amount of alcohol 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 (5/100 of 1%) or less 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 (5/100 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; however, no person shall be convicted 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 (5/100 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; and

3. Evidence that there was ten-hundredths of one percent (10/100 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.

The percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred (100) milliliters of blood. The provisions of this subsection do not limit the introduction of any other competent evidence bearing on the question of whether the person was under the influence of alcohol or intoxicating liquor.

(Prior Code, Chapter Q; Ord. Nos. 81-1281, 81-1282, 6/15/81)

State Law Reference: Mandatory revocation of license for DUI, 47 O.S. Section 6-205; testing, procedures for DUI, 47 O.S. Sections 751 et seq.

SECTION 15-528 SPEED CONTEST PROHIBITED.

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

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

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

SECTION 15-529 PERMITS REQUIRED FOR PARADES AND PROCESSIONS.

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

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

SECTION 15-530 DRIVING THROUGH SAFETY ZONE.

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

SECTION 15-531 STARTING PARKED VEHICLE.

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

SECTION 15-532 OPENING AND CLOSING VEHICLE DOORS.

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

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

SECTION 15-533 OBSTRUCTIONS TO DRIVER'S VIEW OR DRIVING MECHANISM.

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

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

SECTION 15-534 BOARDING OR ALIGHTING FROM VEHICLES.

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

SECTION 15-535 UNLAWFUL RIDING.

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

SECTION 15-536 SERVICE DRIVES.

It is unlawful for any person to operate any vehicle through a service drive situated at a street intersection within the city unless the operator of such vehicle transacts business on the premises where such service drive is located. (Prior Code, Chapter Q)

SECTION 15-537 TRUCK DRIVING AND ROUTE RESTRICTIONS.

A. The city, subject to directions may prescribe routes through the city for the use of trucks in general, trucks of particular kinds or other vehicles which are not ordinary private passenger vehicles, passing through the city. Appropriate and adequate signs shall be placed along such routes so that drivers of such vehicles may follow the routes. When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been prescribed, as provided above, while passing through the city, shall keep on such route and shall not deviate therefrom except in case of emergency. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the city and not merely through the city.

B. For the purpose of this section the following terms shall be as defined herein:

1. "Deviating truck" is a truck which leaves and departs from a truck route while traveling inside the city;

2. "Truck" is any vehicle designed or operated for the transportation of property, and whose body weight or whose combined body and load weight exceeds fifteen thousand (15,000) pounds; and

3. "Truck route" is a way over certain streets, as designated herein, over and along which trucks coming into and going out of the city must operate.

C. The following trucks shall not be operated within the city:

1. A truck having a total weight in excess of eighty thousand (80,000) pounds, provided a truck having weight up to ninety thousand (90,000) pounds may for good cause shown, be operated by special permission first obtained from the chief of police and subject to any specific conditions imposed in individual cases by the chief of police;

2. A truck having total length exceeding sixty-five (65) feet;

3. A truck having single-axle weight exceeding twenty thousand (20,000) pounds, or tandem-axle weight exceeding thirty-four thousand (34,000) pounds;

4. A truck having overall height exceeding thirteen and one-half (13½) feet; and

5. A truck having total width exceeding one hundred two (102) inches.

D. All trucks within the city shall be operated only over and along the truck routes herein established and on the other designated streets over which truck travel is permitted.

E. This section shall not prohibit the following:

1. The operation of trucks upon any street where necessary to the conduct of business at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point;

2. The operation of emergency vehicles upon any street in the city;

3. The operation of trucks owned or operated by the city, public utilities, any contractor or material man, while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the city;

4. The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established; and

5. To avoid or alleviate an emergency such truck may use a limited alternate route of necessity; provided, such route shall be treated as a detour and such truck shall return to the established truck route as immediately as circumstances permit.

F. The following truck routes are established:

1. All trucks entering the city from destination points outside the city shall operate only as follows:

a. When entering the city from the east or west, 9th Street shall be used. Trucks entering the city from the north or south shall use Osage Street (which is U.S. Highway 75). Truck travel between Highway 123 and Highway 75 shall be on Durham Street;

2. Truck traffic in the city originating from outside the city shall operate as follows:

- a. All trucks entering the city for a destination point in the city shall proceed only over an established truck route and shall deviate only at the intersection with the street, upon which such traffic is permitted, nearest the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route; and
- b. All trucks entering the city for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street, upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point, a deviating truck shall proceed to other destination points by the shortest direction and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route;

3. Trucks originating inside the city shall operate as follows:

- a. All trucks, on a trip originating in the city, and traveling in the city for a destination point outside the city shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as herein established; and
- b. All trucks, on a trip originating in the city, and traveling in the city for destination points in the city shall proceed only over streets upon which such traffic is permitted.

G. The city clerk shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the city clerk and shall be available to the public.

H. The chief of police of the city shall cause all truck routes to be clearly sign posted to give notice that this section is in effect.

I. The chief of police shall have the authority to require any person driving or in control of any commercial vehicle not proceeding over a truck route or street over which truck traffic is permitted to proceed to any public or private scale available for the purpose of weighing and determining whether this section has been complied with. (Ord. No. 82-1292, 1/18/82)

SECTION 15-538 LOADS ON VEHICLES.

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

B. No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or

load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or escaping by reason of wind shall have the load covered or dampened so as to prevent the blowing or escaping of the load from the vehicle. (Prior Code, Chapter Q)

SECTION 15-539 VEHICLE APPROACHING OR ENTERING INTERSECTION.

A. When two (2) vehicles enter or approach an uncontrolled 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 as otherwise stated in this chapter; however, the driver of 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. The right-of-way rule declared in Subsection A of this section is modified at through highways as otherwise stated in this chapter. (Prior Code, Chapter Q)

State Law Reference: Right of way at intersections, 47 O.S. Section 11-401.

SECTION 15-540 VEHICLE TURNING LEFT AT INTERSECTION.

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

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

SECTION 15-541 VEHICLE APPROACHING A "YIELD RIGHT-OF-WAY" SIGN.

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

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

SECTION 15-542 VEHICLE ENTERING THROUGH HIGHWAY.

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

SECTION 15-543 VEHICLES FACING STOP, SLOW, WARNING OR CAUTION SIGNAL.

If two (2) or more vehicles face stop, slow, warning or caution signs or signals at an intersection and are approaching as to enter the intersection at the same time, the following rules shall apply: If each vehicle is required to stop, the vehicle coming from

the right shall have the right-of-way. If each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. If each vehicle is required to take caution, the vehicle coming from the right shall have the right-of-way. If one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way. In any event, a vehicle which has already entered the intersection shall have the right-of-way over one which has not entered the intersection. (Prior Code, Chapter Q)

SECTION 15-544 THROUGH STREETS.

A. The city manager, subject to such direction as the council may give, may designate any street or part of a street a through street.

B. Whenever the city manager designates and describes a through street, the stop sign, or yield sign if deemed more appropriate, shall be placed and maintained on every street intersecting a through street, or intersecting that portion thereof, unless traffic at such intersection is controlled at all times by traffic control signals.

C. At the intersection of two (2) such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of the streets as may be determined by the city manager if deemed desirable. (Prior Code, Chapter Q)

SECTION 15-545 INTERSECTIONS WHERE STOP OR YIELD REQUIRED.

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

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

2. Vehicles shall yield the right-of-way to vehicles on a different street as provided in this part in which event he shall cause to be erected a yield sign at every place where yield is required.

(Prior Code, Chapter Q)

SECTION 15-546 STOP OR YIELD SIGN CONSTRUCTION AND PLACEMENT.

Every stop or yield sign erected pursuant to this chapter shall bear the word "Stop" or "Yield" in letters not less than eight (8) inches in height for a stop sign and not less than seven (7) inches in height for a yield sign. Every stop or yield sign shall at night be rendered luminous by steady or flashing internal illumination, by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every stop or yield sign shall be located as close as practicable to the nearest line of the crosswalk on the near side of the intersection or if there is no crosswalk, then the sign shall be located at the nearest line of the intersecting roadway. (Prior Code, Chapter Q)

SECTION 15-547 VEHICLE ENTERING STOP INTERSECTION.

Except when directed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop before entering the crosswalk on the near side of the intersection. In the event there is no

crosswalk, the driver shall stop at a clearly marked stop line before entering the intersection. If there is no marked stop line, then the driver shall stop at the point nearest the intersecting road where the driver has a view of approaching traffic on an intersecting roadway before entering the intersection. A driver after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or road, or which is approaching so close as to constitute immediate hazard; but the driver having so yielded may then proceed and the driver of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding. (Prior Code, Chapter Q)

SECTION 15-548 VEHICLE ENTERING YIELD INTERSECTION.

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

SECTION 15-549 VEHICLE ENTERING HIGHWAY FROM PRIVATE ROAD OR DRIVEWAY.

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

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

SECTION 15-550 VEHICLES ENTERING TRAFFIC FROM PARKING.

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

SECTION 15-551 EMERGING FROM THE ALLEY, DRIVEWAY, OR BUILDING.

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

yield the right-of-way to all vehicles approaching on the roadway. (Prior Code, Chapter Q)

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

SECTION 15-552 STOP WHEN TRAFFIC OBSTRUCTED.

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

SECTION 15-553 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN.

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

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

2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;

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

4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

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

SECTION 15-554 CERTAIN VEHICLES TO STOP AT ALL RAILROAD GRADE CROSSINGS.

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

- B. No stop need be made at any such crossing where a police officer or traffic control signal directs traffic to proceed. (Prior Code, Chapter Q)

SECTION 15-555 OVERTAKING AND PASSING CHURCH BUSES

The driver of a vehicle meeting or overtaking a church bus that is stopped to take on or discharge passengers, and on which the red loading signals are in operation, shall stop his vehicle before it reaches the church bus and not proceed until the red signals are deactivated and then proceed past such church bus at a speed which is reasonable and with due caution for the safety of such children and other occupants. (Ord. No. 97-1377)

SECTION 15-556 DEFINING AND PROHIBITING ANY DRIVER TO AVOID TRAFFIC CONTROL DEVICES.

No Driver shall drive through a filling station driveway, or other driveway or private property so as to avoid use of a street or traffic control devices. (Ord. No. 2002-1425 11/02)

SECTION 15-557

USE OF WIRELESS COMMUNICATION DEVICES WHILE DRIVING
EXCEPT FOR DIALING A NUMBER OR TALKING TO ANOTHER PERSON
WITH CERTAIN DEFENSES

A. Use of a wireless communication device to send, read, or write a text message, view pictures or written text, whether transmitted by internet or other electronic means, engage in gaming or any other use of the device, other than dialing telephone numbers, or talking to another person while operating a moving motor vehicle, is a traffic hazard, a danger to the public and creates a particular danger or probability of danger in the City of Dewey.

Prohibiting the use of wireless communication devices while driving in the City of Dewey, to the extent allowed by §47.0.S. 11-901(d), **Oklahoma Transportation Code**, addresses the possible hazards produced by a distracted driver as the result of: (1) sending or reading text messages, instant messages; (2) viewing or accessing internet sites; or (3) viewing or accessing other data that uses commonly recognized electronic communications protocol.

1. In this section, a "Hands-free device" means speakerphone capability or a telephone attachment to other piece of equipment, regardless of whether permanently installed in the motor vehicle, that allows use of the wireless device without use of either of the operator's hands.

2. In this section, "Text message" means a two-way communication (whether real-time or asynchronous) in which data (composed in whole or in part of text, numbers, images, or symbols) is sent, entered, or received by a method other than by voice and transmitted through either a short message service (SMS) or a computer network.

3. In this section, "Wireless Communication Device" has the meaning assigned in Section 15-557 (Use of Wireless Communication Device; Offense) of the Dewey City Code. Further, "Wireless Communication Device" means a text-messaging device or other electronic, two-way communication device that is designed to receive and transmit voice communication, text or pictorial communication, or both, whether by internet or other electronic means. The term includes a mobile telephone, and a personal digital assistant (PDA).

4. In this section, "Wireless Telephone Service" means two-way, real time voice telecommunications service that is interconnected to a public switched telephone network and is commonly referred to as cellular service or personal communication service.

5. A person commits an offense if the person uses a wireless communication device to send, read, or write a text message, view pictures or written text, whether transmitted by internet or other electronic means, engage in gaming or any other use of the device, besides dialing telephone numbers or talking to another person, while operating a motor vehicle.

6. It is an affirmative defense to prosecution of an offense under this section is a wireless communication device is used:

- a. While the vehicle is stopped, out of the moving lanes of the roadway;
- b. Strictly to engage in a telephone conversation, including dialing or deactivating a call;
- c. That is affixed to the vehicle and used as a global positioning or navigation system;
- d. For obtaining emergency assistance to report a traffic accident, medical emergency, or serious traffic hazard, or to prevent a crime about to be committed or being committed;
- e. In the reasonable belief that a person's life or safety is in immediate danger; or
- f. Solely in a voice-activated or other hands-free mode.

7. This ordinance does not apply to:

- a. An operator of an authorized emergency vehicle using a wireless communication device while acting in an official capacity; and
- b. An operator who is licensed by the Federal Communications Commission operating a radio frequency device other than a wireless communication device. (Ordinance No. 2015-154 adopted 12/7/2015)