

VEHICLES AND TRAFFIC

Chapter 161

VEHICLES AND TRAFFIC

ARTICLE I

Title

§ 161-1. **Title.**

ARTICLE II

Definitions

§ 161-2. **Definitions.**

ARTICLE III

Administration and Enforcement

§ 161-3. **Regulations to be adopted by ordinance.**

§ 161-4. **Temporary and emergency regulations.**

§ 161-5. **Enforcement.**

§ 161-6. **Arrests for violations.**

§ 161-7. **Speed to be specified in summons.**

§ 161-8. **Failure to answer summons.**

§ 161-9. **Appearance in court.**

§ 161-10. **Inability to give bail.**

§ 161-11. **Hearings on Sunday; bond accepted on Sunday.**

§ 161-12. **Violations and penalties.**

ARTICLE IV

Accidents

§ 161-13. **Accidents involving property damage; duty of driver.**

VEHICLES AND TRAFFIC

- § 161-14. **Accidents involving injury or death.**
- § 161-15. **Report of accidents; use as evidence.**
- § 161-16. **Removal of vehicles involved in fatal accidents.**
- § 161-17. **Duty of repairman to report damaged vehicles.**
- § 161-18. **Removal of glass and dangerous materials from street.**

ARTICLE V Bicycles

- § 161-19. **Bicycle restrictions.**
- § 161-20. **Lights required.**
- § 161-21. **Trick riding prohibited.**
- § 161-22. **Regulations for operation; violations and penalties.**

ARTICLE VI Parking

- § 161-23. **Parking across driveways prohibited; violations and penalties.**
- § 161-24. **Parking near fire hydrant prohibited; violations and penalties.**
- § 161-25. **Parking in travel lane of streets prohibited; violations and penalties.**
- § 161-26. **Parking near intersections prohibited; violations and penalties.**
- § 161-27. **Angle parking required; violations and penalties.**
- § 161-28. **Double parking prohibited; violations and penalties.**
- § 161-29. **Restricted parking spaces; violations and penalties.**
- § 161-30. **Establishment of no-parking areas.**

VEHICLES AND TRAFFIC

- § 161-31. Parallel parking.
- § 161-32. Parking in front of post office; violations and penalties.
- § 161-33. Parking on sidewalks.
- § 161-34. Parking for subcompact cars.
- § 161-35. Two-hour parking.
- § 161-36. Thirty-minute parking.
- § 161-37. Unattended vehicles.
- § 161-38. Parking provisions for special vehicles.
- § 161-39. Restricted parking areas.
- § 161-40. Loading and unloading zones.

ARTICLE VII Parking on Private Property

- § 161-41. Consent required.
- § 161-42. Filing of complaint.
- § 161-43. Issuance of warrant.
- § 161-44. Removal of vehicle.
- § 161-45. Notice of removal.
- § 161-46. Sale of reclaimed vehicles; notice; proceeds.
- § 161-47. Applicability of provisions.
- § 161-48. Violations and penalties.

VEHICLES AND TRAFFIC

ARTICLE VIII Parking for Handicapped Persons

- § 161-49. Purpose.
- § 161-50. Definitions.
- § 161-51. Parking areas for handicapped persons.
- § 161-52. Violations and penalties.

ARTICLE IX Regulations

- § 161-53. Compliance with direction of police officer required.
- § 161-54. Compliance with Article required.
- § 161-55. Animal-drawn vehicles.
- § 161-56. Regulations for passengers.
- § 161-57. Equipment used for road work.
- § 161-58. Emergency vehicles.
- § 161-59. Drivers to yield right-of-way to emergency vehicles.

ARTICLE X Traffic Control Devices

- § 161-60. Approval and operation.
- § 161-61. Obedience to signals required.
- § 161-62. Devices to be conspicuously placed.
- § 161-63. Devices to be presumption of official act.

VEHICLES AND TRAFFIC

- § 161-64. **Signals at places other than intersections; emerging from alley, driveway, private road or building.**
- § 161-65. **Traffic control device legend.**
- § 161-66. **Pedestrian control device legend.**
- § 161-67. **Flashing red or yellow signals.**
- § 161-68. **Unauthorized signs or signals prohibited; exceptions.**
- § 161-69. **Defacement prohibited.**
- § 161-70. **Designation of crosswalks; establishment of safety zones.**

ARTICLE XI Speed Regulations

- § 161-71. **General restrictions.**
- § 161-72. **Speed limits established.**
- § 161-73. **Fines and costs.**
- § 161-74. **Excessively slow speeds prohibited.**
- § 161-75. **Operation of vehicles in public park.**
- § 161-76. **Motor-driven cycles to comply.**
- § 161-77. **Approaches to bridges; weight limits.**
- § 161-78. **Restrictions on truck traffic.**

ARTICLE XII Lane Regulations

- § 161-79. **Marking of lanes; vehicles to be driven within lanes.**
- § 161-80. **Use of lanes.**

VEHICLES AND TRAFFIC

§ 161-81. **Crossing of dividing line prohibited.**

§ 161-82. **Use of right side of roadway required.**

§ 161-83. **Use of left side of roadway restricted.**

ARTICLE XIII One-Way Streets

§ 161-84. **Authority to designate one-way streets.**

§ 161-85. **Designation of one-way streets.**

ARTICLE XIV Operation of Vehicles

§ 161-86. **Construal of provisions**

§ 161-87. **Coasting restricted.**

§ 161-88. **Following of fire apparatus; parking near fire apparatus.**

§ 161-89. **Driving over fire hose prohibited.**

§ 161-90. **Interference with authorized processions prohibited.**

§ 161-91. **Rotary traffic islands.**

§ 161-92. **Controlled access highways.**

§ 161-93. **Driving within safety zone prohibited.**

§ 161-94. **Driving on sidewalk prohibited.**

§ 161-95. **Back of vehicles restricted.**

§ 161-96. **Opening of doors restricted.**

§ 161-97. **Regulations for operation of motorcycles.**

VEHICLES AND TRAFFIC

- § 161-98. **Interfering with driver prohibited.**
- § 161-99. **Reckless driving prohibited; violations and penalties.**

ARTICLE XV Passing

- § 161-100. **Establishment of no-passing zones.**
- § 161-101. **Vehicles proceeding in opposite directions.**
- § 161-102. **Vehicles proceeding in the same direction.**
- § 161-103. **Passing on right restricted.**
- § 161-104. **Duty of driver being passed.**
- § 161-105. **Vehicles with unpaid parking citations.**
- § 161-106. **Following of another vehicle.**

ARTICLE XVI Turning Movements

- § 161-107. **Requirements for making turns.**
- § 161-108. **Prohibited turns designated.**
- § 161-109. **Yielding of right-of-way required.**
- § 161-110. **Signaling of turns required.**
- § 161-111. **Manner in which signals to be given.**
- § 161-112. **Certain uses of signals prohibited.**
- § 161-113. **Mechanical signals required on certain vehicles.**
- § 161-114. **U-turns prohibited.**

VEHICLES AND TRAFFIC

ARTICLE XVII

Stop and Yield Movements

- § 161-115. **Town Council to designate stop and yield areas.**
- § 161-116. **Applicability.**
- § 161-117. **Stop signs.**
- § 161-118. **Yield signs.**
- § 161-119. **Right-of-way rules.**
- § 161-120. **Stopping for school buses.**
- § 161-121. **Yielding of right-of-way in areas with no traffic control devices.**
- § 161-122. **Crossing streets.**
- § 161-123. **Railroad grade crossings.**
- § 161-124. **Special regulations for certain vehicles at railroad grade crossings.**
- § 161-125. **Notice to railroad of certain vehicles crossing railroad.**

ARTICLE XVIII

Lighting Equipment

- § 161-126. **Lights required.**
- § 161-127. **Exceptions.**
- § 161-128. **Times when lights are to be in use.**
- § 161-129. **Distance at which lights are to be visible.**
- § 161-130. **Requirements for measuring height of lamps.**
- § 161-131. **Number of lights required; height.**
- § 161-132. **Taillights; height; license plate lamps.**

VEHICLES AND TRAFFIC

- § 161-133. **Reflectors.**
- § 161-134. **Directional signals required.**
- § 161-135. **Stop lamps required.**
- § 161-136. **Fender lights.**
- § 161-137. **Running board lights.**
- § 161-138. **Backup lights.**
- § 161-139. **Hazard lights.**
- § 161-140. **Spot lamps.**
- § 161-141. **Fog lamps.**
- § 161-142. **Auxiliary passing lamps.**
- § 161-143. **Auxiliary driving lamps.**
- § 161-144. **Driver to have ability to select intensity of light.**
- § 161-145. **Use of higher distribution of light restricted.**
- § 161-146. **Headlights on motor-driven cycles.**
- § 161-147. **Limitations on number of lights to be lit.**
- § 161-148. **Use of certain red lights prohibited.**
- § 161-149. **Flashing lights.**
- § 161-150. **Use of flares near disabled vehicles.**
- § 161-151. **Use of lights on buses, trucks and trailers.**
- § 161-152. **Additional lighting required on certain vehicles.**
- § 161-153. **Requirements for lights used on buses, trucks and trailers.**

VEHICLES AND TRAFFIC

- § 161-154. **Mounting of reflectors and lamps on certain vehicles.**
- § 161-155. **Lamps to be clearly visible.**
- § 161-156. **Requirements for flashing lights on school buses.**
- § 161-157. **All vehicles to be equipped with lights.**
- § 161-158. **Lights on parked vehicles.**
- § 161-159. **Lights or markings required on extra long loads.**
- § 161-160. **Lights on vehicles operated in combination with one another.**

ARTICLE XIX Brakes, Horns and Other Equipment

- § 161-161. **Brakes required to conform.**
- § 161-162. **Brakes required on all vehicles.**
- § 161-163. **Brakes required on motorcycles.**
- § 161-164. **Speed of certain vehicles limited unless equipped with suitable brakes.**
- § 161-165. **Brakes to be maintained.**
- § 161-166. **Braking distance applicable to all vehicles.**
- § 161-167. **Braking distances established.**
- § 161-168. **Horn required.**
- § 161-169. **Use of whistles and sirens prohibited.**
- § 161-170. **Rear-view mirror required.**
- § 161-171. **Windows to be unobstructed.**
- § 161-172. **Windshield wipers required.**

VEHICLES AND TRAFFIC

- § 161-173. **Windows to be constructed of safety glass.**
- § 161-174. **Creation of excessive noise prohibited.**
- § 161-175. **Muffler required.**
- § 161-176. **Muffler cutout prohibited.**
- § 161-177. **Escape of contents from vehicles; violations and penalties.**
- § 161-178. **Transport of waste restricted; violations and penalties.**
- § 161-179. **Requirements for rubber tires.**
- § 161-180. **Protuberances on tires prohibited; exceptions.**
- § 161-181. **School buses to be clearly marked.**
- § 161-182. **School buses to be equipped with snow tires or chains.**

ARTICLE XX Vehicles in Combination

- § 161-183. **Limit of combined vehicles.**
- § 161-184. **Length of draw bar; markings on connection.**
- § 161-185. **Sufficient space to be allowed.**

ARTICLE XXI Pedestrians

- § 161-186. **Rights of pedestrians.**
- § 161-187. **Right-of-way when in crosswalk.**
- § 161-188. **Use of right half of crosswalk.**
- § 161-189. **Crossing street outside of crosswalk.**

VEHICLES AND TRAFFIC

- § 161-190. **Crossing at intersections with traffic control devices.**
- § 161-191. **Use of sidewalks; violations and penalties.**
- § 161-192. **Soliciting prohibited.**
- § 161-193. **Carrying of light after dark; violations and penalties.**
- § 161-194. **Walking while intoxicated prohibited.**
- § 161-195. **Use of white cane restricted to blind.**
- § 161-196. **Drivers to exercise caution.**

ARTICLE XXII Unauthorized Use

- § 161-197. **Tampering with vehicles prohibited.**
- § 161-198. **Unauthorized entry prohibited; exception.**
- § 161-199. **Consent of owner required to drive vehicle.**
- § 161-200. **Violations and penalties.**

ARTICLE XXIII Loading and Unloading

- § 161-201. **Town Council to designate loading spaces.**
- § 161-202. **Bus stops; taxi stands.**
- § 161-203. **Loading and unloading of passengers.**
- § 161-204. **Throwing objects from vehicles prohibited.**
- § 161-205. **Loading zones designated.**
- § 161-206. **Time restrictions; violations and penalties.**

VEHICLES AND TRAFFIC

ARTICLE XXIV
Registration and Licenses

- § 161-207. Registration of vehicles.
- § 161-208. Valid operator's license required.
- § 161-209. Use of farm trucks.
- § 161-210. Violation of registration provisions.
- § 161-211. Unauthorized use of or additions to plates.
- § 161-212. Display of number plates.
- § 161-213. Expiration of registration upon transfer of title.
- § 161-214. License to operate a motorcycle or other two-wheeled motor-driven vehicle.
- § 161-215. Operation of vehicle by unlicensed minor.
- § 161-216. Employment of unlicensed person.
- § 161-217. Authorizing or permitted the operation of a motor vehicle by another.
- § 161-218. Driving vehicle while license is suspended or revoked.
- § 161-219. Liability for towing expenses.
- § 161-220. Driving vehicle after suspension, revocation or license denial.

ARTICLE XXV
Additional Passing Regulations

- § 161-221. Passing on left restricted.

ARTICLE XXVI
Skateboards

- § 161-222. Definitions.

VEHICLES AND TRAFFIC

§ 161-223. Use restricted.

§ 161-224. Violations and penalties.

ARTICLE XXVII
Racing; Careless Driving

§ 161-225. Racing prohibited; violations and penalties.

§ 161-226. Reckless and inattentive driving prohibited.

§ 161-227. Careless driving prohibited.

§ 161-228. Driving while intoxicated prohibited.

ARTICLE XXVIII
Establishment of Snow Emergency Routes

§ 161-229. Snow emergency routes defined.

§ 161-230. Towing permitted.

§ 161-231. Place of storage.

§ 161-232. Payment for storage and penalties.

§ 161-233. Fines and penalties.

ARTICLE XXIX
Requirement of Insurance

§ 161-234. Insurance requirement.

ARTICLE XXX
Authority of Town Manager

§ 161-235. Erection and installation of devices.

ARTICLE XXXI
Penalty Provision

§ 161-236. **Schedule of fines.**

§ 161-236A. **Voluntary Assessment Court Cost.**

ARTICLE XXXII
Scooters

§ 161-237. **Definitions.**

§ 161-238. **Proper operation of scooters.**

§ 161-239. **Proper signaling or procedures**

§ 161-240. **Scooter parking**

§ 161-241. **Scooter racing prohibited.**

§ 161-242. **Unsafe or improperly equipped scooters.**

§ 161-243. **Prohibited locations for operations of a scooter.**

§ 161-244. **Procedures for enforcing no trespassing by scooters.**

§ 161-245. **Personal injury or property damage responsibility.**

§ 161-246. **Penalties and violations.**

§ 161-247. **Severability.**

[HISTORY: Adopted by the Town Council of the Town of Laurel 12-20-1988 as Ord. No. 400. Amendments noted where applicable.]

ARTICLE I

Title**§ 161-1. Title.**

This chapter shall be known and may be cited as “The Town of Laurel Traffic Code.”

ARTICLE II

Definitions**§ 161-2. Definitions.**

As used in this chapter, unless the context otherwise clearly indicates, the following definitions shall be applicable:

ABANDONED VEHICLE – Any motor vehicle parked continuously at one (1) location for more than twenty-four (24) consecutive hours.

ALDERMAN – The Alderman of the Town of Laurel appointed pursuant to the Charter of the Town of Laurel.

AUTHORIZED EMERGENCY VEHICLE – Any vehicle of a fire department, police vehicles, ambulances and emergency vehicles of state, federal, county or municipal departments, or public service corporations as are designated or authorized by the Commissioners.

BUSINESS DISTRICT – Any area of the town contiguous to and including a street which has been zoned as a General Business District by the Town Council.

CHAUFFEUR – Includes every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

COMMERCIAL VEHICLE – A vehicle of a type required to be registered under this chapter designed, used or maintained for the transportation of persons or property for hire, compensation or profit, except taxicabs.

CURB – The lateral boundaries of that portion of a street or highway designated for the use of vehicles, whether marked by curbstones or not.

ESSENTIAL PARTS – All integral parts and body parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

FARM TRACTOR – Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

HIGHWAY– The entire width between boundary lines of every way or place of whatever nature open to the use of the police as a matter of right for purposes of vehicular travel, but does not include a road or driveway upon grounds owned by private persons.

INTERSECTION – The area embraced within the prolongation of the lateral curblines or, if none, then the lateral boundary lines of two (2) or more streets which join one another at an angle, whether or not one such streets crosses the other.

MANUFACTURER – Every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

METAL TIRES – All tires the surface of which on contact with the street is wholly or partly of metal or other hard, nonresilient material.

MOTORCYCLE – Every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except any such vehicles as may be include within the definition of “tractor.”

OWNER – A person who holds the legal title of a vehicle or, in the event that a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event that a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this chapter.

PARKING – The standing of a vehicle, whether occupied or not, upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs and signals.

PRIVATE ROAD or DRIVEWAY – Every road or driveway not open to the use of the public for purposes of vehicular traffic.

RESIDENCE DISTRICT – Any area of the town contiguous to and including a street not comprising a business district zoned for residential purposes by the Town Council of the town.

RIGHT-OF-WAY – The privilege of the immediate use of the street.

ROAD TRACTOR – Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereof independently or any part of the weight of a vehicle or load so drawn.

ROADWAY – That portion of street improved, designed or ordinarily used for vehicular travel, exclusive of a berm or shoulder. In the event that a street includes two (2) or more separate roadways, the term “roadway” as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE- The area or space officially set aside within a street for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a “safety zone.”

SEMITRAILER – Every vehicle of the trailer type so designed as used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, and piling and pole trailers are to be considered to fall within the meaning of this definition.

SIDEWALK – That portion of a street or highway between the curb and adjacent building lines designed for the use of pedestrians, whether paved or not.

SOLID RUBBER TIRE - Every tire made of rubber other than a pneumatic tire.

STATE – A state, territory, organized or unorganized, or district of the United States of America. “State” shall mean the State of Delaware where the context in which it appears so requires.

STREET – The entire width between boundary lines of every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel, but does not include a road or driveway upon grounds owned by private persons, colleges, universities or other institutions.

TOWN – The Town of Laurel.

TRAILER – Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

TRUCK TRACTOR – Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

ARTICLE III Administration and Enforcement

§ 161-3. Regulations to be adopted by ordinance.

Every permanent traffic or parking regulation of the town shall be adopted as an ordinance or a portion of an ordinance.

§ 161-4. Temporary and emergency regulations.

- a. The Chief of Police shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - i. In the case of fire, flood, storm or other emergency, to establish temporary traffic and parking regulations.
 - ii. In the case of emergency or to facilitate public works or in the case of the conduct of parades or public events, to restrict or prohibit parking or traffic in limited areas for periods of not more than seventy-two (72) hours.
- b. Such temporary and emergency regulations shall be enforced by the Police Department of the town in the same manner as permanent regulations.

§ 161-5. Enforcement.

The police officers of the town shall enforce all street traffic laws of the town and all state vehicle laws applicable to street traffic in the town.

§ 161-6. Arrests for violations.

- a. The police officers of the town and other officers authorized by law to make arrests for violations of the motor vehicle and traffic laws of the town may arrest, upon view and without warrant, any person violating any of the provisions of this chapter.

- b. In any case arising under this chapter in which it is lawful for a peace officer to arrest a person without a warrant, he may, but need not, give such person a written summons, or if there is reasonable cause to believe that such person will not appear in court, a warrant for his arrest may issue.

§ 161-7. Speed to be specified in summons.

In every charge of violation of any speed regulation in this chapter, the complaint and the summons or notice to appear shall specify the speed at which the defendant is alleged to have driven and the maximum or minimum speed applicable at the location.

§ 161-8. Failure to answer summons. [Amended 5-18-1992 by Ord. No. 400]

Any person who fails to answer any summons to appear in any court of competent jurisdiction to answer for any violation of the motor vehicle laws of this town, after notice thereof has been served personally or securely fastened to the motor vehicle of which such person is the owner or operator, shall be fined for the first offense not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than fifty-seven dollars and fifty cents (\$57.50), and shall pay the costs of prosecution. For each like subsequent offense, he shall be fined not less than fifty-seven dollars and fifty cents (\$57.50) nor more than one hundred fifteen dollars (\$115) or imprisoned for not less than two (2) days nor more than fifteen (15) days, or both, and shall pay the costs of prosecution. A second or subsequent offense shall be punishable as such if it is committed within twelve (12) calendar months of the prior offense.

§ 161-9. Appearance in court.

A person arrested without a warrant for violation of any section of this chapter may be taken before the Alderman of the town or before any other original court of competent jurisdiction.

§ 161-10. Inability to give bail.

In the event of an arrest for the violation of any section of this chapter, if the defendant is unable to give sufficient bail for hearing or for his presence at court, the Alderman or the judge of any other original court of competent jurisdiction may accept as forfeit, conditioned upon the defendant's appearance, a sum of money equal in amount to the maximum fines which could be imposed for the offense charge and the costs.

§ 161-11. Hearings on Sunday; bond accepted on Sunday.

- A. On Sunday the Alderman may hear and determine cases involving alleged violation of the traffic laws.
- B. Any judgment rendered or bail bond taken in accord with the provisions of this chapter shall be of full force and effect although such judgment was rendered or bail bond accepted on days other than Sunday.

§ 161-12. Violations and penalties. [Amended 2-19-1990 by Ord. No. 400; 3-16-1992 by Ord. No. 400)

Except as may be otherwise provided herein, any person who violates any provisions of this chapter shall for the first offense be fined not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than one hundred fifteen dollars (\$115) or imprisoned for not less than five (5) days nor more than fifteen (15) days, or both, and shall pay the costs of prosecution. For each subsequent offense, he shall be fined not less than fifty-seven dollars and fifty cents (\$57.50) nor more than two hundred thirty dollars (\$230) or shall be imprisoned for not less than sixteen (16) days nor more than thirty (30) days, or both, and shall pay the costs of prosecution. All second or subsequent offenses, before being punishable as such, shall have been committed within twelve (12) months after the commission of the prior offense otherwise specifically provided.

ARTICLE IV
Accidents

§ 161-13. Accidents involving property damage; duty of driver.

- A. The driver of any vehicle involved in an accident on the public highways or streets of the town resulting in apparent damage to property shall immediately stop such vehicle at the scene of the accident. If the damage resulting from such accident is to the property of the driver only, with no damage to the person or property of another, the driver need not stop at the scene of the accident, but shall immediately make report of the damage resulting to the Police Department of the town.
- B. The driver shall give his name, address and the registration number of his vehicle and exhibit his operator's or chauffeur's license to the owner of the property or the driver or occupants of any vehicle with which his vehicle collides or otherwise damages.

§ 161-14. Accidents involving injury or death.

The driver of any vehicle involved in an accident resulting in injury or death to any person shall immediately stop such vehicle at the scene of such accident. He shall give his name, address and the registration number of his vehicle and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured at such accident reasonable assistance, including the carrying of such person to a hospital or physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person.

§ 161-15. Report of accidents; use as evidence.

- A. The driver of any vehicle involved in an accident resulting in injuries or death to any person or property damage to an apparent extent of two hundred fifty dollars (\$250) or more shall at once forward a report of such accident to the Police Department.
- B. The fact that such accident reports have been made shall be admissible in evidence solely to prove compliance with this section, but no report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents.

§ 161-16. Removal of vehicles involved in fatal accidents.

Cars involved in accidents resulting in death to human beings shall not be moved from the place of the accident until arrival of police, except if needed to convey an injured person to a hospital or doctor.

§ 161-17. Duty of repairman to report damaged vehicles.

It shall be the duty of the person in charge of any garage or repair shop to report to the Police Department within twenty-four (24) hours after receiving any motor vehicle which shows evidence of having been involved in a serious accident or having been struck by a bullet, giving the engine number, registration number and the name and address of the owner of such vehicle, if known.

§ 161-18. Removal of glass and dangerous materials from street.

Any person removing a wrecked or damaged vehicle from a street shall also remove any glass or other injurious substance dropped upon the street from such vehicle.

ARTICLE V

Bicycles

§ 161-19. Bicycle restrictions.

No person shall ride or operate any bicycle on any sidewalk on any street at any time.

§ 161-20. Lights required.

No person shall operate any bicycle after sunset and before sunrise without a headlight, which shall at all times be lit, and a rear reflector.

§ 161-21. Trick riding prohibited.

No person shall ride upon the handlebars of any bicycle or motorcycle.

§ 161-22. Regulations for operation; violations and penalties.

A. Regulations for operation of bicycles shall be as follows:

- (1) The word "bicycle" shall be defined as a vehicle consisting of two (2) wheels arranged in a tandem or having more than two (2) wheels, united by a frame with a rider's seat upon it, propelled by the feet of the operator or rider acting on pedals connected with one (1) of the two (2) axles and steered by a handlebar guiding the direction of the front wheel.
- (2) When two (2) or more persons in a group are operating bicycles in a roadway, they shall ride in single file.
- (3) No person operating a bicycle shall cling or attach himself or the bicycle to any other moving vehicle.
- (4) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- (5) No bicycle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped with seats.
- (6) The operator of a bicycle emerging from an alley, driveway, garage or private walkway or intersecting street shall stop the bicycle immediately prior to

§ 161-22

VEHICLES AND TRAFFIC

§ 161-22

driving onto or across a public sidewalks or onto or across a public sidewalk line projecting across a street or alley and shall exercise extreme care in such movements.

- (7) No person shall operate a bicycle while under the influence of intoxicating liquor or drugs or while physically or mentally unfit to operate safely the same.
- (8) No bicycle shall be operated within the period from sunset to sunrise without having a properly lighted headlight attached to the front of the bicycle, visible under normal atmospheric conditions from the front thereof. For a distance of not less than five hundred (500) feet, or without having a red light or reflector attached to the rear of the bicycle, which light or reflector is clearly visible in the headlight beam of a motor vehicle for a distance of not less than three hundred (300) feet to the rear of the bicycle.
- (9) No person shall operate a bicycle which is not in such mechanical condition that it can be operated safely.
- (10) All bicycles, when operated on roadways, streets, thoroughfares, or other public ways within the corporate limits of the Town of Laurel, shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the public way.
- (11) Each bicycle shall be equipped with a signaling device in good working order and audible at a distance of fifty (50) feet when sounded.
- (12) No bicycle shall be operated faster than reasonable or proper, and every bicycle shall be operated with reasonable regard to the safety of the rider and of other persons and property on the public way and the sidewalks adjoining the same.
- (13) Every person operating a bicycle shall observe strictly all traffic signs and signals and all other traffic rules and regulations applicable thereto and shall obey the orders and directions of every officer of the Town of Laurel authorized to regulate traffic.
- (14) No person shall, while operating a bicycle, indulge or engage in any kind of trickery or unsafe riding.
- (15) The operator of a bicycle on a public way, when making a right turn, shall

§ 161-22

VEHICLES AND TRAFFIC

§ 161-22

follow the right-hand edge of the public way, and the operator of a bicycle on a public way, when making a left turn, shall approach the point of turning in the traffic lane nearest the center of the roadway or, in the case of a one-way street, shall approach the point of turning nearest the side of the public way in which the turn is to be made.

- (16) No operator of a bicycle shall start, slow down, stop or attempt to turn without first indicating such movement.
- (17) It shall be unlawful for any person to operate any bicycle upon any street within the corporate limits of the Town of Laurel without first having registered said bicycle with the Police Department and obtaining a license therefor, as hereinafter provided.
- (18) Any person desiring to register a bicycle owned by him and secure a license therefor shall make application, in writing, to the Police Department on forms supplied by the Police Department stating the following:
 - (a) The name and address of the owner.
 - (b) The date of birth of the owner.
 - (c) The name of the manufacturer of the bicycle.
 - (d) The serial number of the frame thereof.
 - (e) The approximate date when the bicycle was obtained.
 - (f) The name and address of the person from whom the bicycle was obtained.
 - (g) If the owner is under the age of eighteen (18) years, the name and address of the parent or guardian of said child.
 - (h) The signature of the owner.
 - (i) If the owner is under the age of eighteen (18) years, the application shall be also executed by the parent or guardian of said owner.
- (19) The application, as completed, shall be presented to the Town of Laurel, together with a license fee of one dollar (\$1).

- (20) No bicycle shall be registered nor shall any license be issued for any bicycle which has not been presented to the Police Department of the Town of Laurel for examination.
- (21) No bicycle shall be registered nor shall any license be issued for any bicycle which, in addition to handlebars or a seat, does not have properly lighted headlamp attached to the front of the bicycle in sight under normal atmospheric conditions from the front thereof for a distance of not less than three hundred (300) feet nor without having a reflector attached to the rear of the bicycle which is visible in the headlight beam of a motor vehicle for a distance of three hundred (300) feet to the rear of the said bicycle nor without having a signaling device audible at a distance of fifty (50) feet when sounded.
- (22) The Police Department of the Town of Laurel, upon receipt of the executed application for registration, and upon an examination to ascertain that the bicycle has the safety features as herein provided, shall issue a registration card and license therefor.
- (23) The Police Department shall maintain an accurate list of all bicycles so registered and all licenses so issued showing the name and address of the owner to whom the license was issued.
- (24) When any bicycle which has been registered and licensed as herein provided is sold, or is otherwise disposed of or destroyed, the owner shall immediately surrender to the Police Department the registration card and the license plate issued therefor, with the name and address of the new owner, if any, written on the face of the registration card, and the Police Department shall immediately make proper endorsement thereof of his records and retain and issue a new card and plate to the new owner upon application, examination and payment of the required fee. The number of any license surrendered as provided in this subsection shall not be reissued.
- (25) The owner shall report immediately to the Police Department the loss or destruction of the license plate and the circumstances surrounding the loss or destruction thereof.
- (26) Bicycles, when parked in the business district, shall be parked in zones or places designated and marked for that purpose. It shall be unlawful to park any bicycle along buildings in such a manner as to interfere with pedestrians, or along roadways which interferes with traffic, or with persons entering into

cause to be removed, at the expense of the owner or operator of any such motor vehicle, any motor vehicle parked or left standing within fifteen (15) feet of either side of a fire hydrant when the owner or operator is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this subsection, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable charge for storage for each day or part thereof that the vehicle is so stored, and any court costs. In addition, said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-25. Parking in travel lane of streets prohibited; violations and penalties.

- A. No vehicle shall be parked in any portion of the vehicle travel lane on any street within the corporate limits of the town.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman, or his authorized representative, is authorized to accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) as a penalty for such violation, if such penalty is paid within ten (10) days from the date of the violation, or accept twenty-three dollars (\$23) if such penalty is paid following the expiration of ten (10) days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord No. 400]**
- C. Any police officer of the town, while in the performance of his duty, may remove or cause to be removed any vehicle parked in any portion of the vehicle travel lane at the expense of the owner or operator of such motor vehicle when the owner or operator is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this subsection, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable charge for storage for each day or part thereof that the vehicle is so stored and any court costs. In addition, said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-26. Parking near intersections prohibited; violations and penalties.

- A. No vehicle shall park:
 - (1) Within thirty (30) feet of any stop sign.
 - (2) Within twenty (20) feet of the intersection of two (2) or more streets. **[Amended 7-17-1989 by Ord. No. 400]**
 - (3) In a designated yellow area of any intersection.

- B. Any person violating this section shall upon conviction, pay a fine of not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his authorized representative is authorized to accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) as a penalty for such violation if such penalty is paid within ten (10) days from the date of the violation, or accept twenty-three dollars (\$23) if such penalty is paid following the expiration of ten (10) days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

- C. Any police officer of the town, while in the performance of his duty, may remove or cause to be removed any motor vehicle parked in violation of this section at the expense of the owner or operator of such motor vehicle when the owner or operator is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this section, before the same is released therefrom, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable charge for storage for each day or part thereof that the vehicle is so stored and any court costs. In addition, the said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-27. Angle parking required; violations and penalties.

- A. Upon all streets of the town where other than parallel parking is permitted, vehicles shall be parked within the space designated with the front of the vehicle toward the curb and within twelve (12) inches thereof; provided, however, that each vehicle stopped or parked upon an avenue requiring parallel parking shall park parallel to

§ 161-27

VEHICLES AND TRAFFIC

§ 161-29

and within twelve (12) inches of the curb or edge of the roadway in the direction of the flow of traffic.

- B. Any person violating this section shall be fined not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his authorized representative is authorized to accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) if such parking ticket is paid within ten (10) days from the date of the violation, or twenty-three dollars (\$23) as a penalty for such violation if such ticket is paid after the expiration of ten (10) days following a violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 161-28. Double parking prohibited; violations and penalties.

- A. The parking of vehicles along any side or curb of any streets within the town shall be in a single line. Double parking is prohibited.
- B. It shall be unlawful to park more than one (1) four-wheeled vehicle in any one (1) designated parking meter space.
- C. Any person violating this section shall, upon conviction, pay a fine of not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his authorized representative is authorized to accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) as a penalty for such violation if such penalty is paid within ten (10) days from the date of the violation, or accept twenty-three dollars (\$23) if such penalty is paid following the expiration of ten (10) days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 161-29. Restricted parking spaces; violations and penalties.

- A. No vehicle shall be parked in any parking space designated by the Town Council as being devoted to a special use or purpose, such as bus stops, taxi stands, doctors' stands or fire equipment stands and the like, unless such vehicle shall be within that class designated as being authorized to park in any such space.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and

§ 161-29

VEHICLES AND TRAFFIC

§ 161-30

shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his authorized representative is authorized to accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) as a penalty for such violation if such penalty is paid within ten (10) days from the date of the violation, or accept twenty-three dollars (\$23) if such penalty is paid following the expiration of ten (10) days from the date of the violation. [Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]

C. Any police officer of the town, while in the performance of his duty, may remove or cause to be removed, at the expense of the owner or operator of any motor vehicle, any motor vehicle parked in violation of Subsection A of this section, when the owner or operator of such motor vehicle is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this subsection, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable charge for each day or part thereof that the vehicle is so stored and any court costs. In addition, said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-30. Establishment of no-parking areas.

A. There are hereby established the following no-parking areas within the corporate limits of the town:

- (1) North side of Sixth Street from West Street to Webb Avenue. [Amended 6-17-1996]
- (2) North side of Sixth Street from West Street to Central Avenue.
- (3) South side of Sixth Street from Central Avenue to the end of the corporate limits of the town.
- (4) East side of Central Avenue from the northern end of the corporate limits of the town to the southern end of the corporate limits of the town.
- (5) South side of Washington Street from Brooklyn Avenue to Wilson Street.
- (6) South side of Cooper Street from Delaware Avenue to Fourth Street.

§ 161-30

VEHICLES AND TRAFFIC

§ 161-30

- (7) West side of Delaware Avenue from Fourth Street to Front Street.
- (8) East side of Delaware Avenue from Fourth Street to Market Street.
- (9) South side of Fourth Street from King Street to Pine Street.
- (10) North side of Fourth Street from Pine Street to Central Avenue.
- (11) West side of Pine Street from Sixth Street to Fourth Street.
- (12) South side of Fifth Street.
- (13) East side of Spruce Street from Eighth Street to Fourth Street.
- (14) West side of Oak Street from Front Street to Broad Creek.
- (15) East side of Poplar Street from Front Street to Clayton Avenue.
- (16) North side of Clayton Avenue from Poplar Street to Central Avenue.
- (17) South side of Eighth Street from West Street to Central Avenue.
- (18) South side of Tenth Street from West Street to Central Avenue.
- (19) South side of Market Street from Pine Street to railroad tracks.
- (20) East side of West Street from railroad tracks to the end of the corporate limits of the town.
- (21) South side of Mechanic Street from West Street to railroad tracks.
- (22) North side of Mechanic Street from railroad tracks to Poplar Street.
- (23) South side of Seventh Street from Greene Avenue to Poplar Street.
(Amended 7-17-1989 by Ord. No. 400)
- (24) North side of Townsend Street from West Street to Sixth Street. **[Amended 7-17-1989 by Ord. No. 400]**
- (25) East side of Elm Street from Townsend Street to Center Street.

- (26) West side of Sussex Avenue from Filbert Street to Delaware Route 9 as marked by signs. **[Added 11-19-1990 by Ord. No. 400]**
- (27) West side of Belle Avenue from Seventh Street to Sixth Street.
- (28) West side of North Central Avenue from Poplar Street, north to Daniel Street.
- (29) East side and West side of Park Lane from West Sixth Street, north to the Laurel River Park parking lot.
- (30) North side of Cooper Street at the “Cooper Street curve” as marked by signs. **[Added 11-16-1992 by Ord. No. 400]**
- (31) North side and south side of Route 468 between North Central Avenue (Route 13A) and the Dual Highway (Route 13). **[Added 1-3-1994 by ord. No. 400]**
- (32) West side of Poplar Street opposite the driveway of 403 Poplar Street for a distance of 15 feet as marked. **[Added 11-20-1995 by Ord. No. 400]**
- (33) West side of Poplar Street for a distance of 30 feet north from the intersection of Seventh Street. **[Added 2-5-1996 by Ord. No. 400]**
- (34) South side of Ninth Street from West Street to Laurel Hill Cemetery. **[Added 7-8-1997]**
- (35) East side of King Street from East Sixth Street to Cooper Branch Creek. **[Added 1-9-1999]**
- (36) North end of Dewey Street from Eighth Street to dead end. **[Added 6-7-1999]**
- (37) West side of Wilson Street from Route 9 to Filbert Street. **[Added 5-1-2000]**
- (38) West side of Delaware Avenue from Front Street to Willow Street. **[Added 2-4-2002]**
- (39) North side of Market Street, from Central Avenue to Poplar Street. (Added 3-1-04)**

§ 161-30

VEHICLES AND TRAFFIC

§ 161-33

- (40) East and West side of Poplar Street from Second Street to Market Street. **(Added 10-4-04)**

(41) The west side of Central Avenue, from Tenth Street 430' north on the south bound lane of Central Avenue. **(Added 11-16-15)**

- B. Any person violating any provision of this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her authorized representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation, if such penalty is paid within 10 days from the date of violation, or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-190 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 116-31. Parallel parking.

- A. Every motor vehicle stopped or parked upon a street within the corporate limits of the town where parallel parking is permitted shall be stopped or parked with the right-hand wheels parallel to and within 12 inches of the curb or edge of the roadway in the direction of the flow of traffic.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution, provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her authorized representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation, if such penalty is paid within 10 days from the date of violation, or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 116-32. Parking in front of post office; violations and penalties. (Amended by deletion 4-5-04)

§ 161-33. Parking on sidewalks. [Added 7-17-1989 by Ord. No. 400]

- A. No person shall park or permit to be parked any motor vehicle upon any sidewalk, crosswalk, street intersection, public lawn, curb or drainage course.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid

§ 161-33

VEHICLES AND TRAFFIC

§ 161-34

within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 5-18-1992 by Ord. No. 400]**

- C. Any police officer of the town, while in the performance of his or her duty, may remove or cause to be removed any motor vehicle parked in violation of this section at the expense of the owner or operator of such motor vehicle when the owner or operator is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this subsection, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable cost for storage for each day or part thereof that the motor vehicle is so stored and any court costs. In addition, such said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him or her by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-34. Parking for subcompact cars.

- A. The Town Manager shall designate such parking spaces as, in his or her opinion, will best serve the public interest and convenience as limited to subcompact cars only. A “subcompact car” is defined as a car not exceeding 176 inches in length from bumper to bumper. Parking spaces provided for subcompact cars will measure from 15 feet minimum to 17 feet maximum in length.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No 400]**
- C. Any police officer of the town, while in the performance of his duty, may remove or cause to be removed, at the expense of the owner or operator of any motor vehicle, any motor vehicle parked in violation of Subsection A of this section, when the owner or operator of such motor vehicle is unable, unwilling or unavailable to move such motor vehicle immediately. If any motor vehicle is removed pursuant to the provisions of this subsection, the owner or operator thereof shall pay the fine imposed by Subsection B of this section, the cost of removal, a reasonable charge for each day or part thereof that the vehicle is so stored and any court costs. In addition,

§ 161-34

VEHICLES AND TRAFFIC

§ 161-36

said owner or operator shall sign a receipt for such motor vehicle prior to its being released to him by the storage facility. In the event that payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-35. Two-hour parking.

- A. No person shall park, stop or stand any motor vehicle in any of the following areas within the corporate limits of the Town of Laurel for a period in excess of two hours between the hours of 8:00 a.m. and 6:00 p.m., local time, Monday through Sunday, inclusive, including holidays:
- (1) West side of Central Avenue from Second Street to Fifth Street.
 - (2) West side of Poplar Street from Second Street to the Laurel Police Department.
 - (3) South side of Fourth Street from Central Avenue to Delaware Avenue.
 - (4) North side of Market Street from Poplar Street to 165 feet east of Delaware Avenue.
 - (5) East side of Delaware Avenue from Market Street to Front Street.
 - (6) West side of Delaware Avenue from Market Street to Fourth Street. **[Added 7-19-1993 by Ord. No. 400; amended 11-21-1994 by Ord. No. 400]**
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No 400]**

§ 161-36. Thirty-minute parking.

- A. **[Amended 7-17-1989 by Ord. No. 400]** No person shall park, stop or stand any motor vehicle in any of the following areas within the corporate limits of the Town of Laurel for a period in excess of 30 minutes between the hours of 8:00 a.m. and

§ 161-36

VEHICLES AND TRAFFIC

§ 161-37

10:00 p.m. local time, Monday through Sunday, inclusive, including holidays:

- (1) North side of Market Street, first three parking spaces west of Delaware Avenue. **[Amended 1-3-1994 by Ord. No. 400]**
 - (2) West side of Poplar Street, in front of the Municipal Building, first four parking spaces north of Mechanic Street. **[Added 3-1-1993 by Ord. No. 400]**
 - (3) Two-parking spaces on the west side of Central Avenue between Market Street and Fourth Street; namely, the two parking spaces in front of the property owned by Walt Hearn and Doctor Curtis Smith. **[Added 7-8-1997]**
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No 400]**

§ 161-37. Unattended vehicles.

- A. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon. For the purposes of this section, if the identity of the operator is not apparent at the time the motor vehicle is discovered, the person in whose name such vehicle is registered as the owner shall be held prima facie responsible for such violation.
- B. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$28.75 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$28.75 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No 400]**

§ 161-38. Parking provisions for special vehicles. (Amended 6-16-03)

- A. For the purposes of this section, the following definitions shall be appropriate: the term “motor vehicle” includes a mobile home, travel trailer, house trailer, office trailer, camping trailer, boat trailer, enclosed/open utility trailer, school/commercial bus, dump truck or any vehicle without motive power, motor trucks, motor home, semitrailers, truck tractor and farm tractor. **[Amended 6-19-06]**
- B. It shall be unlawful to park any motor vehicle as defined in this section on any street in the town for a period of time longer than two hours; provided, however, that the provision of this section shall not apply to the stopping or standing of motor vehicles as defined in this section for the purpose of loading or unloading freight.
- C. It shall be unlawful to park on any street any motor vehicle, as defined in this section, equipped with a refrigeration device, if such device while in operation unreasonably disturbs the use and enjoyment of any property within 200 feet of such parked vehicle. After due notice to the owner or operator that said motor vehicle is unreasonably disturbing the use and enjoyment of property as herein prescribed and such vehicle is not immediately removed from its parking place, any police officer may cause such motor vehicle to be removed at the expense of the owner of such vehicle or the person in charge thereof, and the vehicle shall be and remain in the custody of the town until the expense of moving and storage has been paid. The operator or person in charge of said vehicle shall also be liable for the penalty herein provided for the violation of this section.
- D. The provisions of this section shall not be applicable to the parking of motor vehicles as defined in this section loaded with farm produce, waiting in line and attended by a driver, for the purpose of delivering produce to an auction block, cannery or other food processing plant, nor to motor vehicles of the Police or Fire Department or any emergency vehicle of the town, nor to motor vehicles of any public utility, physician or undertaker actually engaged in work or practice of such occupation or profession.
- E. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$57.50 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$57.50 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 5-18-1992 by Ord. No. 400; 6-3-1996 by Ord. No 400]**

§ 161-39

VEHICLES AND TRAFFIC

§ 161-39

§ 161-39. Restricted parking areas. [Added 9-17-1991 by Ord. No. 400]

- A. No person shall park, stop or stand any motor vehicle in any of the following areas within the corporate limits of the Town of Laurel between the hours of 9:00 p.m. and 6:00 a.m., local time, Monday through Saturday, inclusive, including holidays, during the months of June, July and August except for scheduled church activities and services:
- (1) North side of Townsend Street, between West Street and Sixth Street.
 - (2) South side of West Sixth Street between Elm Street and Webb Avenue.
- B. No person shall stop, park or stand any truck at any time on West Sixth Street between Webb Avenue and Townsend Street within the corporate limits of the Town of Laurel. "Truck," for purposes of this section, shall mean any-size truck or truck-like vehicle from a standard size, ½ ton, single-wheel, double axle, pickup truck up to and including the largest truck or truck-like vehicle permitted to traverse the public highways of the State of Delaware. **[Added 4-20-1998¹]**
- C. It shall be unlawful to park any special vehicles as defined in Chapter 161, Section 38, Subsection A, in any municipal parking lot within the corporate limits of The Town of Laurel, for a period in excess of twelve (12) hours, which need not be consecutive within any twenty-four (24) hour period of time, unless notification and a request for a special permit has been made to the Town manager or his/her designated representative. **(Added 3-18-03)**
- D. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation. **[Amended 5-18-1992 by Ord. No 400]**

§ 161-40

VEHICLES AND TRAFFIC

§ 161-42

§ 161-40. Loading unloading zones. [Added 3-1-1993 by Ord. No. 400]

¹ Editor's Note: This ordinance also redesignated former Subsection B as Subsection C.

- A. No person shall park any motor vehicle in any of the following areas within the corporate limits of the Town of Laurel marked as loading or unloading zones, except for the sole purpose of loading or unloading.

(1)² East side of Poplar Street, directly in front of the commercial property known as 203 South Poplar Street, with a five-minute limit restriction. **[Added 10-17-1994 by Ord. No. 400]**

- A. Any person violating this section shall, upon conviction, pay a fine of not less than \$11.50 nor more than \$23 and shall pay the costs of prosecution; provided that, with the consent, in writing, of the person charged with a violation under this section, the Alderman or his or her representative is authorized to accept and receive, without hearing, not less than \$11.50 as a penalty for such violation if such violation is paid within 10 days from the date of the violation or accept \$23 if such penalty is paid following the expiration of 10 days from the date of the violation.

ARTICLE VII
Parking on Private Property

§ 161-41. Consent required.

The parking of motor vehicles on private property without the consent or permission of the owner or tenant of the property is hereby declared to be a public nuisance.

§ 161-42. Filing of complaint.

Upon discovery of a motor vehicle parked upon private property without the permission of the owner or tenant of the private property, the owner or tenant of the property may file a verified complaint with the Alderman of the town or with any court of competent jurisdiction setting forth the following information:

- A. The make, model and year of the motor vehicle.
- B. The license number and state of registration of the motor vehicle.

§ 161-43

VEHICLES AND TRAFFIC

§ 161-46

§ 161-43. Issuance of warrant.

² Editor's Note: Former Subsection A(1), concerning Delaware Avenue, was deleted 11-21-1994 by Ord. No. 400.

Upon the receipt of the verified complaint and upon a finding of probable cause for the issuing of a warrant, the Alderman or any other court of competent jurisdiction shall forthwith issue a warrant to the police authority of the town directing the removal of a the motor vehicle. Such warrant shall set forth the make, model and year of the motor vehicle and the license number and state of registration of the motor vehicle.

§ 161-44. Removal of vehicle.

Upon receipt of the warrant, the police authority shall take the motor vehicle into custody and remove such motor vehicle or cause it to be removed and stored in a suitable place for safe keeping at the expense of the owner or operator of such motor vehicle. The police officer, upon the removal of the motor vehicle, shall notify the court from which the warrant issued of the action which has been taken with respect to such motor vehicle.

§ 161-45. Notice of removal.

- A. Within seventy-two (72) hours of the removal of the motor vehicle and if the said motor vehicle has not been reclaimed, the police authority shall cause a written notice to be mailed to the registered owner of the vehicle removed and any lienholders stating the following:
 - (1) That the motor vehicle has been removed pursuant to this section.
 - (2) The place to which it has been removed.
 - (3) That the vehicle may be sold to satisfy the costs of removal and storage of the vehicle, unless the costs of removal and storage have been paid in full and/or before thirty (30) days from the date of the removal of the vehicle.
- B. If the address of the owner of the motor vehicle cannot be ascertained by the exercise of reasonable diligence, then notice shall be given to any lienholders, and if no lienholders, such notice shall not be required to be given. Such notice shall be by certified mail, with return receipt requested.

§ 161-46. Sale of reclaimed vehicle; notice; proceeds.

- A. If the costs of the removal and storage of the vehicle are not paid within thirty (30) days from the date of the removal and storage of the motor vehicle, then police authority may proceed to sell at public sale the motor vehicle so removed and stored.

§ 161-46

VEHICLES AND TRAFFIC

§ 161-49

- B. Notice of the sale shall be posted in at least five (5) public places within the County

of Sussex with at least one(1) such notice being posted within the corporate limits of the town, and notice shall be given by mail to the owner of the motor vehicle and any lienholder of record at the last known address as indicated in the records of the Motor Vehicle Department of the State of Delaware or otherwise. Such notice shall describe the vehicle to be sold and shall specify the day, the hour and place of the sale.

- C. The proceeds of the sale shall be applied first to the costs of sale, then to the costs of removal and storage of the vehicle and then to the payment of any liens which said vehicle or any part thereof may be subject in order of their priority, and any excess shall be delivered to the registered owner of such vehicle. If the name and address of the registered owner of such vehicle shall be unknown, such excess of the sale price shall be deposited in a special account by the Town Manager of the town, and if such excess is not claimed within one (1) year, such funds shall be transferred to the general fund of the town.

§ 161-47. Applicability of provisions.

The provisions of this Article shall not be applicable to any motor vehicle of the town when parked upon private property while on official business, nor to any motor vehicle parked upon private property at the direction of a public officer, nor to any maintenance equipment authorized to be upon the property.

§ 161-48. Violations and penalties.

Any person who parks a motor vehicle upon private property without the consent or permission of the owner or tenant of such property shall, in addition to the other remedies provided herein, be fined, upon conviction, not less than ten dollars (\$10) nor more than one hundred dollars (\$100) and shall pay the costs of prosecution.

ARTICLE VIII
Parking for Handicapped Persons

§ 161-49. Purpose.

It is the purpose of this Article to establish parking areas for the use of the persons to whom a special handicapped registration plate has been issued by the Department of Transportation of the State of Delaware or by another jurisdiction.

§ 161-50

VEHICLES AND TRAFFIC

§ 161-52

§ 161-50. Definitions.

For the purposes of this article, the following definitions shall be applicable unless the context clearly indicates to the contrary:

VEHICLE OF THE HANDICAPPED – A vehicle which is displaying a special handicapped registration plate on the rear of the vehicle, issued by the Department of Transportation of the State of Delaware, or a vehicle displaying a special handicapped identification parking card issued by the Department of Transportation of the State of Delaware or a plate or permit issued under a similar provision by another jurisdiction.

§ 161-51. Parking areas for handicapped persons.

It shall be unlawful for any person to park, stand or stop any vehicle, other than vehicle of the handicapped, in any of the following areas:

- A. West side of Delaware Avenue at the library as marked.
- B. Spaces conspicuously marked by owners or lessees of private property for handicapped parking only. [Added 7-17-1989 by Ord. No. 400]
- C. West side of South Central Avenue at the post office as marked. [Added 6-18-1990 by Ord. No. 400]
- D. North side of Townsend Street at Mt. Pisgah Church as marked; during scheduled church activities and services. [Added 6-17-1996]

§ 161-52. Violations and penalties. [Amended 1-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]

Any person violating any of the provisions of this Article shall, upon conviction, pay a fine of not less than \$28.75 nor more than \$57.50 and shall pay the costs of prosecution; provided, however, that with the consent, in writing, of the person charged in violation of this Article, the Alderman or his or her authorized representative is authorized to accept and receive, without hearing, not less than \$28.75 as a penalty for such violation, if such penalty is paid within 10 days from the date of the violation, or accept \$57.50 if such penalty is paid following the expiration of 10 days from the date of the violation.

§ 161-53

VEHICLES AND TRAFFIC

§ 161-55

ARTICLE IX

Regulations

§ 161-53. Compliance with direction of police officer required.

- A. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic.
- B. Any driver, who, having received a visual or audible signal from a police officer identifiable by uniform, by motor vehicle, or by a clearly discernible police signal, to bring his or her vehicle to a stop, operates his or her vehicle in disregard of that signal or interferes with or endangers the operation of the police vehicle or increases the speed or extinguishes his or her lights in attempts to flee or elude the police officer shall be fined for the first offense not less than \$115 nor more than \$230 or imprisoned for a period of not less than 10 days nor more than 30 days, or both, and shall pay the costs of prosecution. For each subsequent and like offense, such operator shall be fined not less than \$230 nor more than \$575 or imprisoned for not less than 30 days nor more than 60 days, or both, and shall pay the costs of prosecution. **[Amended 7-17-1989 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**
- C. If a police officer witnesses any violation of any provision of this section and the identity of the operator is not otherwise apparent, the person in whose name such vehicle is registered as the owner or in the case of a rental vehicle the person to whom the rental vehicle is leased or in the case of a company-owned motor vehicle, the person whose name appears on the record of the company as driving the company vehicle shall be prima facie responsible for such violation of this section. **[Added 7-17-1989 by Ord. No. 400]**

§ 161-54. Compliance with Article required.

No person shall do any act forbidden or fail to perform any act required by this Article.

§ 161-55. Animal-drawn vehicles.

Every person propelling any pushcart or riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their nature can have no application.

§ 161-56

VEHICLES AND TRAFFIC

§ 161-57

§ 161-56. Regulations for passengers.

ARTICLE X
Traffic Control Devices

§ 161-60. Approval and operation.

All traffic control signs, signals and devices required under this chapter shall be approved and authorized by the Town Council and shall be operated by employees of the Town of Laurel or by automatic devices.

§ 161-61. Obedience to signals required.

No driver of any vehicle or any pedestrian shall disobey the directions indicated by any official traffic control sign, signal, marking or device applicable thereto and placed in accordance with the provisions of this chapter at the following locations unless otherwise directed by a traffic or police officer, subject to the exceptions in this chapter granted the driver of any emergency vehicle:

- A. Intersection of Market Street and Central Avenue.
- B. Intersection of Market Street and Delaware Avenue.
- C. Intersection of 8th Street and South Central Avenue.
- D. Five Points Intersection on North Central Avenue.

§ 161-62. Devices to be conspicuously placed.

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

§ 161-63. Devices to be presumption of official act.

- A. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this Article, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

§ 161-63

VEHICLES AND TRAFFIC

§ 161-65

- B. Any official traffic control device placed pursuant to the provisions of this Article and

purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence.

§ 161-64. Signals at places other than intersections; emerging from alley, driveway, private road or building.

- A. In the event that an official or authorized traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Article shall be applicable, except as to those provisions which by their nature can have no application.
- B. The operator of a motor vehicle emerging from an alley, driveway, private road or building where there is no official traffic-control device shall stop such vehicle immediately prior to driving on to a sidewalk or on to a sidewalk area extending across any alley, driveway of private road and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision and before entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

§ 161-65. Traffic control device legend.

Whenever traffic is controlled by traffic control signals exhibiting different-colored lights or colored lighted arrows, successively one (1) at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and such lights shall include and apply to drivers of vehicles and pedestrians as follows:

- A. Green alone or “Go.” Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection of an adjacent crosswalk at the time such signal is exhibited.
- B. Full yellow when shown following the green signal, full or arrow, or full amber shown at the same time.
 - (1) Vehicular traffic facing the signal is thereby warned that a red signal for the previously permitted movement will be exhibited immediately thereafter, and such vehicular traffic shall not enter the intersection or be crossing the stop limit, whether marked by a sign or painted line, when the red is exhibited.

§ 161-65

VEHICLES AND TRAFFIC

§ 161-65

- (2) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal, are thereby advised that there is insufficient time to

cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway.

C. Full red or red arrow shown following a full amber or red arrow following an amber arrow.

- (1) Vehicular traffic facing the signal shall stop before crossing the stop limit, whether marked by sign or painted line, or if none, before entering the crosswalk on the near side of the intersection, shall remain standing until a green signal of one (1) of the types listed herein is shown.
- (2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.
- (3) When a traffic control device is not in place prohibiting such turn, vehicular traffic facing a circular red signal may cautiously enter the intersection to turn right, or to turn left from a one-way roadway onto a one-way roadway.
- (4) When turns on red are permitted, the right to proceed to turn after stopping shall be subject to the rule applicable after making a stop as at a stop sign.

D. Green arrow or arrows alone.

- (1) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
- (2) Vehicles facing such signals are thereby advised that no other traffic movements may be made from the lane or lanes that the signal indication controls. Making or attempting to make any other movement is hereby prohibited.
- (3) Pedestrians facing such signals shall not enter the roadway unless they can do so safely and without interfering with any vehicular traffic.

E. Amber arrow following a green arrow or arrows.

§ 161-65

VEHICLES AND TRAFFIC

§ 161-67

- (1) Vehicular traffic facing the signal is thereby warned that the red signal for traffic moving in the direction of the amber arrow will be exhibited

immediately thereafter, and such vehicular traffic shall not enter the intersection or be crossing the stop limit, whether marked by sign or painted line, when the red signal for the particular movement is exhibited.

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

F. Full red with green arrow or arrows.

- (1) Vehicular traffic facing such signals may enter the intersection only to make the movement indicated by such arrow or arrows, except that no vehicle shall at any time be driven through or within a safety zone. Vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
- (2) Pedestrians facing such signals shall not enter the roadway unless they can do so safely and without interfering with any vehicular traffic.

§ 161-66. Pedestrian control device legend.

Whenever special pedestrian control signals exhibiting the words “Walk” or “Wait” or “Stop” or “Don’t Walk” are in place, such signals shall apply as follows:

- A. “Walk.” Pedestrians facing such signals may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- B. “Wait” or “Stop” or “Don’t Walk.” No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed the crossing on the walk signal shall proceed to the nearest sidewalk or safety island.

§ 161-67. Flashing red or yellow signals.

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

- (1) Flashing red (stop signal). When a red lens is illuminated with intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at

§ 161-67

VEHICLES AND TRAFFIC

§ 161-70

an intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

- (2) Flashing yellow (caution signal). When a yellow lens is illuminated with intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

B. This section shall not apply at railroad grade crossings.

§ 161-68. Unauthorized signs or signals prohibited; exceptions.

- A. No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.
- B. No person shall place or maintain nor shall any lawful authority permit upon any street any traffic sign or signal bearing thereon any commercial advertising, and no person shall attach to any traffic sign or signal any other sign containing commercial advertising.
- C. This section shall not be deemed to prohibit the erection upon private property adjacent to streets of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- D. Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the street is hereby empowered to remove the same or cause it to be removed without notice.

§ 161-69. Defacement prohibited.

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal or any inscription shield or insignia thereon or any part thereof.

§ 161-70. Designation of crosswalk; establishment of safety zones.

The Town Manager is hereby authorized to:

§ 161-70

VEHICLES AND TRAFFIC

§ 161-72

- A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

- B. Establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

ARTICLE XI
Speed Regulations

§ 161-71. General restrictions.

- A. No person shall drive a vehicle on a street at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.
- B. The driver of every vehicle shall, consistent with the requirements of the provisions of Subsection A of this section, drive at appropriately reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway and when special hazards exist with respect to pedestrians or by reason of weather or street conditions.

§ 161-72. Speed limits established.

- A. Where no special hazard exists, and except as set forth in Subsection B hereon, a speed of twenty-five (25) miles per hour shall be lawful, but any speed in excess of such limit shall be absolute evidence that the speed is not reasonable or prudent and that it is unlawful.
- B. In all school zones, twenty (20) miles per hour where twenty-mile-per-hour regulatory signs are in effect during specified periods.
- C. Where specifically posted and allowed by regulatory signs, a speed of thirty-five (35) miles per hour shall be lawful, but any speed in excess of such limit shall be absolute evidence that the speed is neither reasonable nor prudent and that it is unlawful. **[Added 1-19-1990 by Ord. No. 400]**

§ 161-73

VEHICLES AND TRAFFIC

§ 161-73

§ 161-73. Fines and costs.³

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

Notwithstanding anything to the contrary set forth in this chapter, the following are hereby established as the fines and costs, including, payments to the Victim's Compensation Fund, for speeding violations:

Miles Per Hour Over Speed Limit	Fine	Costs	Victim's Compensation
1 to 5	\$ 20.00	\$ 11.00	18% of fine
6	26.00	11.00	18% of fine
7	27.00	11.00	18% of fine
8	28.00	11.00	18% of fine
9	29.00	11.00	18% of fine
10	30.00	11.00	18% of fine
11	31.00	11.00	18% of fine
12	32.00	11.00	18% of fine
13	33.00	11.00	18% of fine
14	34.00	11.00	18% of fine
15	35.00	11.00	18% of fine
16	52.00	11.00	18% of fine
17	54.00	11.00	18% of fine
18	56.00	11.00	18% of fine

§ 161-73

VEHICLES AND TRAFFIC

§ 161-73

Miles Per Hour Over Speed Limit	Fine	Costs	Victim's Compensation
19	58.00	11.00	18% of fine

20	60.00	11.00	18% of fine
21	83.00	11.00	18% of fine
22	86.00	11.00	18% of fine
23	89.00	11.00	18% of fine
24	92.00	11.00	18% of fine
25	95.00	11.00	18% of fine
26	98.00	11.00	18% of fine
27	101.00	11.00	18% of fine
28	104.00	11.00	18% of fine
29	107.00	11.00	18% of fine
30	110.00	11.00	18% of fine
31	113.00	11.00	18% of fine
32	116.00	11.00	18% of fine
33	119.00	11.00	18% of fine
35	122.00	11.00	18% of fine
36	125.00	11.00	18% of fine
37	128.00	11.00	18% of fine
38	131.00	11.00	18% of fine

§ 161-73

VEHICLES AND TRAFFIC

§ 161-74

**Miles Per Hour Over
Speed Limit**

Fine

Costs

Victim's Compensation

39	137.00	11.00	18% of fine
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40	140.00	11.00	18% of fine
41	143.00	11.00	18% of fine
42	146.00	11.00	18% of fine
43	149.00	11.00	18% of fine
44	152.00	11.00	18% of fine
45	155.00	11.00	18% of fine
46	158.00	11.00	18% of fine
47	161.00	11.00	18% of fine
48	165.00	11.00	18% of fine
49	168.00	11.00	18% of fine
50	170.00	11.00	18% of fine

§ 161-74. Excessively slow speeds prohibited.

- A. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.
- B. Whenever the Town Council determines on the basis of an engineering and traffic investigation that slow speeds on any part of a street consistently impede the normal and reasonable movement of traffic, it may, by ordinance, determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law.

§ 161-75

VEHICLES AND TRAFFIC

§ 161-77

§ 161-75. Operation of vehicles in public park.

- A. No person shall operate or permit to be operated a motor vehicle, licensed or unlicensed, in any public park.

- B. No person shall operate any unlicensed motor vehicles on any public way within the corporate limits of the town.
- C. The provisions of this section shall not apply to motor vehicles of the town, emergency vehicles and other motor vehicles authorized by the Town Council.

§ 161-76. Motor-driven cycles to comply.

No person shall operate any motor-driven cycle at a speed greater than that established in § 161-72 of this chapter.

§ 161-77. Approaches to bridges; weight limits.

- A. No person shall drive a vehicle over any bridge or elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is signposted as provided in Subsection C of this section.
- B. No person shall drive a motor vehicle over any bridge or elevated structure constituting a part of a street when such vehicle's gross weight, including the carried load, is greater than the maximum weight which can be maintained with safety to such bridge or structure if signposted as provided in Subsection C of this section.
- C. The Town Council may conduct an investigation of any public bridge, causeway, or viaduct. If it thereupon finds that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter or withstand vehicular gross weights including the carried load permissible under this chapter, the Town Council shall determine and declare the maximum speed or gross weight, including the carried load, of vehicles which such structure can withstand and shall cause or permit suitable signs to be erected and maintained at a distance of one hundred (100) feet beyond each end of such structure. The findings and determinations of the Town Council and the existence of signs shall be conclusive evidence of the maximum speed or gross weight, including the carried load, which can, with safety to any such structure, be maintained thereon.

§ 161-78

VEHICLES AND TRAFFIC

§ 161-78

§ 161-78. Restrictions on truck traffic.

- A. It shall be unlawful for any person to operate or to drive any truck having more than two (2) axles upon any street within the corporate limits of the Town of Laurel except

accept and receive, without hearing, not less than twenty-eight dollars and seventy-five cents (\$28.75) as a penalty for such violation if such penalty is paid within ten (10) days from the date of the violation, or accept one hundred fifteen dollars (\$115) if such penalty is paid following the expiration of ten (10) days from the date of the violation. [Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]

ARTICLE XII
Lane Regulations

§ 161-79. Marking of lanes; vehicles to be driven within lanes.

- A. The Town Manager is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.
- B. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such traffic lane except when lawfully passing another vehicle or preparatory to making a lawful movement.
- C. In addition to such traffic lanes as the Town Manager may mark pursuant to this section, the following lanes are specifically established and marked:
 - (1) No right-hand turn from the curb lane of Central Avenue on to Market Street.

§ 161-80. Use of lanes.

Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

- A. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- B. Upon a roadway which is divided into three (3) lanes for two-way traffic, 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 oncoming 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

§ 161-80

VEHICLES AND TRAFFIC

§ 161-82

is proceeding and sign is conspicuously posted to give notice of such allocation.

- C. Official signs may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction,

regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign.

- D. Official traffic control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of every such device.

§ 161-81. Crossing of dividing line prohibited.

Whenever any street has been divided into two (2) or more roadways by an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official control devices or police officers. Unless specifically authorized by lawful authority, no vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection established for public use.

§ 161-82. Use of right side of roadway required.

- A. Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:
 - (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
 - (2) When an obstruction exists making it necessary to drive to the left of the center of the street, provided that any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the street within such distance as to constitute an immediate hazard;
 - (3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or
 - (4) Upon a roadway designated and signposted for one-way traffic.
- B. Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and 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 o

§ 161-82

VEHICLES AND TRAFFIC

§ 161-85

edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

- C. Upon any roadway having four (4) or more lanes for traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by signs or markings designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under this section.

§ 161-83. Use of left side of roadway restricted.

- A. No vehicle shall at any time be driven to the left side of the roadway under the following circumstances:
 - (1) When approaching the crest of a grade or upon a curve in the street where the driver’s view is obstructed within such distance as to create a hazard in the event that another vehicle might approach from the opposite direction.
 - (2) When approaching within one hundred (100) feet or traversing any intersection or railroad grade crossing.
 - (3) When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel.
- B. The foregoing limitations shall not apply upon a one-way roadway.

**ARTICLE XIII
One-Way Streets**

§ 161-84. Authority to designate one-way streets.

The Town Council, by ordinance, may designate any street or portion thereof under its jurisdiction for one-way traffic and shall erect or cause to be erected appropriate signs giving notice thereof.

§ 161-85. Designation of one-way streets. (Amended 11-3-03)

The following streets or portions of streets are designated as one-way streets, and traffic shall move as follows:

§ 161-85	VEHICLES AND TRAFFIC	§ 161-86
Name of Street	Direction of Travel	Limits
Fifth Street	West	From Pine Street to Central Avenue

Willow Street	South	From Fourth Street to Sixth Street
Spruce Street	North	From Eighth Street to Fifth Street
Sixth Street	East	From West Street to the intersection of Pine and Sixth Streets
Seventh Street	West	From Poplar Street to West Street
Eighth Street	East	From West Street to Central Avenue
Belle Avenue	North	From Center Street to Sixth Street
Elm Street	South	From Sixth Street to Seventh Street
Daniel Street	East	From Highway 13A to Wilson Street
Pine Street	North	From Sixth Street to Fourth Street
Walnut Street	East	From Central Avenue to Maryland Avenue
Brooklyn Avenue [Added 9-25-1989 by Ord. No. 400]	North	From Filbert Street to Central Avenue
Eighth Street [Added 1-23-1996 by Ord. No. 400]	East	Between Central Avenue and Spruce Street between 7:30 a.m. and 8:30 a.m. and 2:30 p.m. and 3:30 p.m. when school is in session

ARTICLE XIV
Operation of Vehicles

§ 161-86. Construal of provisions.

The provisions of this chapter refer exclusively to the operation of vehicles upon streets except:

§ 161-86	VEHICLES AND TRAFFIC	§ 161-92
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- A. Where a different place is specifically referred to in a given section.
- B. That the provisions of § 161-99 of this chapter shall apply upon streets and elsewhere throughout the town.

§ 161-87. Coasting restricted.

- A. The driver of any motor vehicle, when traveling upon a down grade, shall not coast with the gears of such vehicle in neutral.
- B. The driver of a commercial motor vehicle, when traveling upon a down grade, shall not coast with the clutch disengaged.

§ 161-88. Following fire apparatus; parking near fire apparatus.

The driver of any vehicle, other than a vehicle on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within five hundred (500) feet of where the fire apparatus has stopped in answer to a fire alarm. No person shall be deemed to have violated the provisions of this section with regard to parking if the act of parking was done prior to the giving of such fire alarm.

§ 161-89. Driving over fire hose prohibited.

No person shall drive any motor vehicle over any line of hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of a policeman or of an employee or agent of the Fire Department.

§ 161-90. Interference with authorized processions prohibited.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while such vehicles are in motion, provided that such vehicles are conspicuously designated. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

§ 161-91. Rotary traffic islands.

Any vehicle passing around a traffic island shall be driven only to the right of such island.

§ 161-92. Controlled access highways.

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

§ 161-93

VEHICLES AND TRAFFIC

§ 161-97

§ 161-93. Driving with safety zone prohibited.

No person shall drive a vehicle through or within a safety zone.

§ 161-94. Driving on sidewalk prohibited.

No person shall drive any motor vehicle longitudinally upon any sidewalk in the town, nor shall any person drive any vehicle upon or across any sidewalk, except in order to gain access to or egress from a driveway or alley at a location where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose.

§ 161-95. Backing of vehicles restricted.

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

§ 161-96. Opening of doors restricted.

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 and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to traffic for a period of time longer than necessary to load or unload passengers.

§ 161-97. Regulations for operation of motorcycles.

- A. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event, a passenger may ride upon the permanent and regular seat, if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.
- B. Every person operating or riding on a motorcycle shall have in his possession a safety helmet approved by the Secretary of Public Safety and shall wear eye protection approved by the Secretary; provided, however, that every person up to nineteen (19) years of age operating or riding on a motorcycle shall wear a safety helmet and eye protection approved by the Secretary.
- C. No portion of the handlebars on a motorcycle may extend more than fifteen (15) inches above the level of the operator's regular seat. The operator shall keep at least one (1) hand on a handgrip of the handlebars at all time when moving.

§ 161-97

VEHICLES AND TRAFFIC

§ 161-100

- D. A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one (1) leg on each side of the motorcycle.

- E. No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.
- F. No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

§ 161-98. Interfering with driver prohibited.

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

§ 161-99. Reckless driving prohibited; violations and penalties.

- A. Any person who drives any vehicle in willful or wanton disregard of the safety of persons or property shall be deemed guilty of reckless driving.
- B. Any person who violates this section shall for the first offense be fined not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than two hundred thirty dollars (\$230) or be imprisoned for not less than ten (10) days nor more than thirty (30) days, or both, and shall pay the costs of prosecution. For each subsequent violation of this section, he shall be fined not less than fifty-seven dollars and fifty cents (\$57.50) nor more than four hundred sixty dollars (\$460) or be imprisoned for not less than fifteen (15) days nor more than sixty (60) days, or both, and shall pay the costs of prosecution. A subsequent violation, before being punishable as such, shall have been committed within twenty-four (24) months after the commission of the prior offense. **[Amended 5-18-1992 by Ord. No. 400]**

ARTICLE XV
Passing

§ 161-100. Establishment of no-passing zones.

- A. The Town Manager is authorized to determine those portions of any street where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey

§ 161-100

VEHICLES AND TRAFFIC

§ 161-105

the directions thereof.

- B. Where signs or markings are in place to define a no-passing zone as set forth in Subsection A, no driver shall at any time drive on the left side of the roadway within

such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

§ 161-102. Vehicle proceeding in opposite directions.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other, as nearly as possible, one-half (1/2) of the main traveled portion of the roadway.

§ 161-103. Passing on right restricted.

- 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 any street or roadway which is officially marked for more than one (1) traffic lane in one (1) direction.
 - (3) Upon a one-way street or upon any roadway on which traffic is restricted to one (1) direction of movement whereby the roadway is free from obstructions and of sufficient width for two (2) or more line 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, main traveled portion or regular moving traffic lane of the roadway.

§ 161-104. Duty of driver being passed.

Except when overtaking and passing on the right is permitted, the driver of a vehicle about to be overtaken and passed by another vehicle approaching from the rear 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.

§ 161-105. Vehicles with unpaid parking citations.

The Alderman's Court for the Town of Laurel shall provide the Police Department with the license and registration numbers of motor vehicles which have outstanding and overdue parking

§ 161-105

VEHICLES AND TRAFFIC

§ 161-107

violations, which citations total in the amount of twenty-five dollars (\$25) or more in unpaid fines or total in number of three (3) or more parking tickets, whichever is the lesser. If any such motor vehicle is found parked on the streets of the Town of Laurel, it shall be towed and impounded in some convenient garage or other storage facility within the town; and before the same shall be released

therefrom, the owner thereof shall pay all unpaid parking violations or citations issued to such vehicle, the costs of towing, a reasonable charge for storage for each day or part thereof that the vehicle is so stored and any court costs. In addition, the said owner shall sign a receipt for such motor vehicle prior to it being released to him by the storage facility. In the event that the payment is made under protest, a bail bond for further appearance shall be posted as required by the Alderman.

§ 161-106. Following of another vehicle.

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 street.

**ARTICLE XVI
Turning Movements**

§ 161-107. Requirements for making turns.

No persons shall turn a vehicle at an intersection unless the vehicle is in proper position on the roadway as required by this section, and unless and until such movement can be made with reasonable safety.

- A. Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of a roadway.
- B. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right hand of the roadway nearest to the center thereof and by passing to the right of such center line where it enters the intersection, and, after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
- C. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one (1) direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and, after entering the intersection, the left turn shall be made

§ 161-107

VEHICLES AND TRAFFIC

§ 161-112

so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

§ 161-108. Prohibited turns designated.

Any motor vehicle in use on a highway shall be equipped with and signals shall be given by a signal lamp or lamps or a mechanical device when the distance from the center of the top of the steering post to the left outside limit of the hood, cab or load of such motor vehicle exceeds twenty-four (24) inches or when the distance from the center of the top of the steering post of the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle and also to any combination of vehicles.

§ 161-114. U-turns prohibited.

No driver of any vehicle shall make a U-turn on any street or portion thereof.

ARTICLE XVII
Stop and Yield Movements

§ 161-115. Town Council to designate stop and yield areas. (Amended 3-1-04)

The Town Council, by ordinance, may designate a preferential right-of-way at an intersection or other place and cause to be erected a stop sign or yield sign at such intersection or other place and may designate particularly dangerous street grade crossings of railroads and cause to be erected a stop sign at such crossing.⁴

- (a) Stop sign to be placed on East Sixth Street West Bound at the intersection of East Sixth, Willow and Pine Streets.

§ 161-116. Applicability.

No motor vehicle shall be operated except in accordance with the provisions of this chapter which are applicable thereto.

§ 161-117. Stop signs.

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

§ 161-117

VEHICLES AND TRAFFIC

§ 161-121

side of the intersection, the driver shall stop at a clearly marked stop sign, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Any driver of a vehicle who has come to a full stop as required herein shall not enter into, upon or across such highway or street until such

⁴ Editor's Note: Former Section 113, designating stop intersections, which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art I.

movement can be made in safety.

§ 161-118. Yield signs.

No driver of any vehicle on a street whose traffic is regulated by a yield sign shall fail to yield the right-of-way to any vehicle approaching on or from another street or merging roadway or to any pedestrian legally crossing the roadway. Any such driver who has yielded as required herein shall not enter into, upon or across such street or merging roadway until such movement can be made in safety.

§ 116-119. Right-of-way rules.

Except as otherwise provided in this chapter, and except as modified at through streets, the following right-of-way rules shall be made applicable:

- A. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street.
- B. When two (2) vehicles enter an intersection from different streets 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.

§ 161-120. Stopping for school buses.

The driver of a vehicle upon a highway, upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, shall stop the vehicle before reaching such school bus when there is in operation on the school bus a visual signal as specified in § 161-153, and the driver shall not proceed until such school bus resumes motion or is signaled by the school bus driver to proceed or the visual signals are no longer actuated.

§ 161-121. Yielding of right-of-way in areas with no traffic control devices.

The driver of a vehicle emerging from an alley, driveway or building where there is not an official traffic control device shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway, the driver shall yield the right-of-way to all vehicles approaching on the roadway.

§ 161-122

VEHICLES AND TRAFFIC

§ 161-124

§ 161-122. Crossing streets.

The driver of a vehicle about to enter or cross a street from a private road or from a crossover

on a divided street shall yield the right-of-way to all vehicles approaching on the street.

§ 161-123. Railroad grade crossings.

- A. Whenever any person driving a vehicle approaches a railroad grade crossing, drawbridge or automatic signal system controlling the flow of traffic 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 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 street 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.
 - (4) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.
 - (5) A clearly visible sign has been erected.
- 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 operated or closed.

§ 161-124. Special regulations for certain vehicles at railroad grade crossings.

Except when directed to proceed by a police officer or traffic control signal, every driver of any motor vehicle carrying passengers for hire, school children or explosive substances or flammable liquids, before crossing any railroad grade or track, shall stop such vehicle as provided in § 161-123 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 and shall not proceed until he can do so safely.

§ 161-124

VEHICLES AND TRAFFIC

§ 161-127

After stopping as required and upon proceeding when it is safe to do so, the driver of any such vehicle shall not shift gears while crossing the track or tracks.

§ 161-25. Notice to railroad of certain vehicles crossing railroad.

No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of ten (10) or fewer miles per hour or a vertical body or load clearance of less than one-half (1/2) inch per foot of the distance between two (2) adjacent axles or in any event of less than nine (9) inches measured above the level surface of a roadway upon or across any tracks at a railroad grade crossing unless:

- A. Notice sufficiently in advance of such intended crossing is given to the railroad and the station agent to provide proper protection at such crossing.
- B. Such crossing is made in accordance with the requirements of § 161-123 of this chapter.
- C. Movement over the crossing is made under the direction of a flagman if one is provided by the railroad.

ARTICLE XVIII
Lighting Equipment

§ 161-126. Lights required.

No person shall drive or move nor shall the owner cause or knowingly permit to be driven or moved in any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or which does not contain those parts or is not at all times equipped in proper condition and adjustment as required in this Article or which is equipped in any manner in violation of this Article or for any person to do any act forbidden or fail to perform any act required under this Article; provided, however, that nothing contained in this Article shall be construed to prohibit the use of additional parts and accessories on any vehicle no inconsistent with the provisions of this Article.

§ 161-127. Exceptions.

Except as otherwise specifically required, the provisions of this Article with respect to lighting equipment on vehicles shall apply to implements of husbandry, road machinery, road rollers or farm tractors.

§ 161-128

VEHICLES AND TRAFFIC

§ 161-132

§ 161-128. Times when lights are to be in use.

Every vehicle upon a street within the town 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 there is not sufficient light to render clearly discernible any person or vehicle on the highway at a distance of five hundred (500)

feet ahead shall display lighted lamps and illuminating devices as are in this Article respectively required for different classes of vehicles, subject to exceptions with respect to lights on parked vehicles.

§ 161-129. Distance at which lights are to be visible.

Unless otherwise expressly stated, the requirements for the distance from which certain lamps and lighting devices shall render objects visible or within which such lamps or lighting devices shall be visible shall apply during the times stated in § 161-128 and in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions.

§ 161-130. Requirements for measuring height of lamps.

The requirement as to the height of mounted lamps or lighting devices shall be measured from the center of such lamps or lighting device to the level ground upon the vehicle stands when the vehicle is without a load.

§ 161-131. Number of lights required; height.

- A. Motor vehicles. Every motor vehicle, trailer, semitrailer, pole trailer and motor-driven cycle shall be equipped with at least two (2) headlamps with at least one (1) on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this Article.
- B. Motorcycles. Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than two (2) headlamps which shall comply with the requirements and limitations set forth in this Article.
- C. Height measurements. Every headlamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height of not more than fifty-four (54) inches nor less than twenty-four (24) inches, to be measured as set forth in § 161-130.

§ 161-132. Taillights; height; license plate lamps.

- A. Required on vehicles. Every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of one (1) or more other vehicles shall be equipped with at least one (1) taillamp, mounted on the rear, which, when lighted as required by this Article, shall emit a red light plainly visible from a distance

§ 161-132

VEHICLES AND TRAFFIC

§ 161-134

of five hundred (500) feet to the rear, provided that, in the case of a train of vehicles, only the taillamp on the rearmost vehicle need actually be seen from the distance specified. Every such above-mentioned vehicle, other than a truck tractor, registered in the state and manufactured or assembled after July 1, 1956, shall be equipped with at least two (2) taillamps mounted on the rear, which, when lighted as required, shall

comply with the provisions of this section.

- B. Height measurement. Every taillamp upon every vehicle shall be located at a height of not more than seventy-two (72) inches nor less than twenty (20) inches.
- C. License plate lamps. Either a taillamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty (50) feet to the rear. Any taillamp or taillamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

§ 161-133. Reflectors.

- A. New vehicles. Every new motor vehicle hereafter sold and operated upon a street other than a truck tractor shall carry on the rear, either as a part of the taillamps or separately, two (2) red reflectors, except that every motorcycle and every motor-driven cycle shall carry at least one (1) reflector and except as otherwise required for the vehicles mentioned in § 161-150.
- B. Specifications. Every such reflector required shall be mounted on the vehicle at a height not less than twenty (20) inches nor more than sixty (60) inches measured as set forth in § 161-30 and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from such vehicle when directly in front of lawful upper beams of headlamps.

§ 161-134. Directional signals required.

- A. Required on new vehicles. All new vehicles licensed in this state and operated within the town must be equipped with directional signal lights.
- B. Specifications for signal lamps. Any motor vehicle may be equipped and when required under this Article shall be equipped with lamps or mechanical signal devices showing to the front and rear for the purposes of indicating an intention to turn either to the right or left. When lamps are used for such purpose, the lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and, when in use, shall display a red or amber light or any shade of color between red and amber , provided that no such signal lamp shall project a glaring light, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight.

§ 161-134

VEHICLES AND TRAFFIC

§ 161-139

When actuated, such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which turn is made. Where mechanical signal devices are used for such purpose, said devices shall be self-illuminated when in use at the time mentioned in § 161-128.

§ 161-135. Stop lamps required.

- A. Required on new motor vehicles. It shall be unlawful for any person to sell any new motor vehicles, including any motorcycle or motor-driven cycle in the town, or for any person to drive such vehicle on the streets unless such vehicle shall be equipped with at least one (1) stop lamp.
- B. Specification for stop lamps. Any motor vehicle may be equipped and when required under this Article shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light or any shade of color between red and amber, provided that no such stop lamp shall project a glaring light, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake and which may be, but need not be, incorporated with one (1) or more other rear lamps.

§ 161-136. Fender lights.

Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare.

§ 161-137. Running board lights.

Any motor vehicle may be equipped with not more than one (1) running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

§ 161-138. Backup lights.

Any motor vehicle may be equipped with not more than two (2) backup lamps, either separately or in combination with other lamps, but any such backup lamp shall not be lighted when the motor vehicle is in forward motion.

§ 161-139. Hazard lights.

Any vehicle may be equipped with lamps which may be used to warn the operators of other vehicles of the presence of a vehicular traffic requiring the exercise of unusual care in approaching, overtaking or passing, and may display such warning in addition to any other signals required by this Article. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing white or amber lights or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable and shall show simultaneously flashing amber or red lights or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night.

§ 161-139

VEHICLES AND TRAFFIC

§ 161-144

(100) feet ahead. On a straight, level road, under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of the approaching driver.

- C. Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state after January 1, 1956, which has multiple-beam road-lighting equipment, shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of light from the headlamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that, when lighted, it will be readily visible without glare to the driver of the vehicle.

§ 161-145. Use of higher distribution of light restricted.

Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in § 161-128, the driver shall use a distribution of light or site beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

- A. Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or composite beam specified in § 161-144 shall be deemed to avoid glare at all times, regardless of road contour and loading.
- B. Whenever the driver of a vehicle follows another vehicle within two hundred (200) feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this Article other than the uppermost distribution of light specified in § 161-144.

§ 161-146. Headlights on motor-driven cycles.

The headlamp or headlamps upon every motor-driven cycle may be of the single-beam type, but in either event shall comply with the requirements and limitations as follows:

- A. Intensity of headlamp. Every said headlamp or headlamps on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred (100) feet when the motor-driven cycle is operated at any speed less than twenty-five (25) miles per hour, and at a distance of not less than three hundred (300) feet when the motor-driven cycle is operated at a speed of thirty-five (35) or

§ 161-146

VEHICLES AND TRAFFIC

§ 161-150

more miles per hour.

- B. Multiple-beam lamps. In the event that the motor-driven cycle is equipped with a multiple-beam lamp or headlamps, the upper beam shall meet the minimum requirements set forth in Subsection A of this section and shall not exceed the

(100) feet to the rear of the vehicle and the third upon the roadway alongside of the vehicle. If the vehicle is transporting flammables, three (3) red reflectors may be so placed so as to afford a warning of the presence of the vehicle on the street in lieu of such other signals, and no open burning flare shall be placed adjacent to any such vehicle.

§ 161-51. Use of lights on buses, trucks and trailers.

All lamp equipment required on passenger buses, trucks, truck tractors and certain trailers, semitrailers and pole trailers as required by this Article shall be lighted as provided in § 161-152, except that clearance and side marker lamps need not be lighted on any such vehicle when operated within the town where there is sufficient light to render clearly discernible, persons and vehicles on the street at a distance of five hundred (500) feet.

§ 161-52. Additional lighting required on certain vehicles.

In addition to other equipment required in this Article, the following vehicles shall be equipped as herein stated.

- A. On every bus or truck, whatever its size, there shall be the following: on the rear, two (2) reflectors, one (1) at each side, and one (1) stop light.
- B. On every bus or truck eighty (80) inches or more in overall width, in addition to the requirements of Subsection A of this section, there shall be the following: on the front, two (2) clearance lamps, one (1) at each side; on the rear, two (2) clearance lamps, one (1) at each side; on the side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear; on each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.
- C. On every truck tractor, there shall be the following: on the front, two (2) clearance lamps, one (1) at each side; on the rear, one (1) stop light.
- D. On every trailer or semitrailer having a gross weight in excess of three thousand (3,000) pounds, there shall be the following: on the front, two (2) clearance lamps, one (1) at each side; on each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear; on each side two (2) reflectors, one (1) at or near the front and one (1) at or near the rear; on the rear, two (2) clearance lamps, one (1) at each side, also two (2) reflectors, one (1) at each side, and one (1) stop light.
- E. On every pole trailer in excess of three thousand (3,000) pounds gross weight, there shall be the following: on each side, one (1) clearance lamp, which may be in combination to show to the front, side and rear; on the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.
- F. On every trailer, semitrailer or pole trailer weighing three thousand (3,000) pounds of

§ 161-152

VEHICLES AND TRAFFIC

§ 161-154

gross weight or less, there shall be the following: on the rear, two (2) reflectors, one (1) on each side. If any trailer or semitrailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one (1) stop light.

§ 161-153. Requirements for lights used on buses, trucks and trailers.

All passenger buses, truck tractors, trailers, semitrailers and pole trailers subject to the provisions of § 161-52 shall comply with the following requirements.:

- A. Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.
- B. Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.
- C. All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a backup lamp shall be white or amber.

§ 161-154. Mounting of reflectors and lamps on certain vehicles.

- A. Any reflectors required on any vehicle enumerated in § 161-152 shall be mounted at a height not less than twenty-four (24) inches and not higher than sixty (60) inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than twenty-four (24) inches, the reflector at such point shall be mounted as high as that part of the permanent structure will permit.
- B. The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.
- C. Any required red reflector on the rear of any vehicle enumerated in § 161-152 may be incorporated with the taillamp, but such reflector shall meet all other reflector requirements of this Article.
- D. Clearance lamps shall be mounted on a permanent structure of any vehicle enumerated in § 161-155 in such a manner as to indicate its extreme width and as

§ 161-154

VEHICLES AND TRAFFIC

§ 161-157

near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination, provided that illumination is given as required in this Article with reference to both.

§ 161-155. Lamps to be clearly visible.

- A. Every reflector upon any vehicle referred to in § 161-154 shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within six hundred (600) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of headlamps.
- B. Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the time lights are required at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle.
- C. Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the time lights are required at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle.
- D. Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the time lights are required at a distance of five hundred (500) feet from the side of the vehicle on which mounted.

§ 161-156. Requirements for flashing lights on school buses.

In addition to any other equipment and distinctive markings required by this chapter, every school bus shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable which shall be capable of displaying to the front two (2) alternately flashing red lights located at the same level, and these lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight and which shall be actuated by the driver of the school bus only when such vehicle is stopped for the purpose of receiving or discharging school children.

§ 161-157. All vehicles to be equipped with lights.

Every vehicle, including animal-drawn vehicles and vehicles referred to in § 161-127, not specifically required by the provisions of this Article to be equipped with lamps or other lighting devices, shall, at all times specified in § 161-128, be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of said vehicle and shall also be equipped with two (2) lamps displaying a red light visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible for a distance on one hundred (100) to six hundred (600) feet to the rear when illuminated by the lawful upper beams of headlamps.

§ 161-158

VEHICLES AND TRAFFIC

§ 161-160

§ 161-158. Lights on parked vehicles.

- A. Whenever a vehicle is lawfully parked upon a street during the hours between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise, and in the event that there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such street, no lights need be displayed upon such parked vehicle.

- B. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such highway, such vehicles shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.
- C. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

§ 161-159. Lights or markings required on extra long loads.

Whenever the load upon any vehicle extends four (4) feet or more beyond the rear of the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the time specified in § 161-128, a red light or lantern clearly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time, there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve (12) inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

§ 161-160. Lights on vehicles operated in combination with one another.

Whenever motor vehicles and other vehicles are operated in combination during the time that lights are required, any lamp except taillamps need not be lighted if by reason of its location on a vehicle of the combination it would be obscured by another vehicle of the combination, but shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the foremost vehicle of combination shall be lighted.

§ 161-161

VEHICLES AND TRAFFIC

§ 161-167

ARTICLE XIX
Brakes, Horns and Other Equipment

§ 161-161. Brakes required to conform.

All brakes shall conform to regulations as set forth in § 161-162 through § 161-166 of this chapter.

brakes upon a motor vehicle equipped with two-wheel brakes only shall be adequate to stop the vehicle within a distance of forty (40) feet, and the hand brake adequate to stop the vehicle within a distance of fifty-five (55) feet.

§ 161-168. Horn required.

Every motor vehicle operated upon a street shall be equipped with a horn, in good working order, capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet.

§ 161-169. Use of whistles and sirens prohibited.

Except as otherwise provided in this chapter, no vehicle is to be equipped with, nor shall any person use upon a vehicle, any siren, exhaust, compression or spark plug whistle, nor shall any person at any time use a horn otherwise than as a reasonable warning to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

§ 161-170. Rear-view mirror required.

All motor vehicles and motorcycles shall be equipped with a mirror so placed that the driver thereof may readily ascertain the presence of any vehicle traveling in the same direction and overtaking him.

§ 161-171. Windows to be unobstructed.

No person shall operate any vehicle upon a street with any sign, poster or other nontransparent material upon the front window, side vent windows, or side or rear windows of such motor vehicle, other than a certificate or other paper required to be so displayed by law.

§ 161-172. Windshield wipers required.

Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

§ 161-173

VEHICLES AND TRAFFIC

§ 161-177

§ 161-173. Windows to be constructed of safety glass.

- A. No person shall operate on any public street of the town any motor vehicle which is registered in the state and which has been manufactured or assembled after July 1, 1937, unless such vehicle, and any trailer drawn thereby, is equipped with safety glass, wherever glass is used in partitions, doors, windows or windshields.

- B. The term “safety glass” shall mean glass so treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from external sources or by glass when the glass is cracked or broken.

§ 161-174. Creation of excessive noise prohibited.

No motor vehicle, other than an authorized emergency vehicle or a vehicle moving under special permit, which makes or creates excessive or unusual noise, shall operate upon any street or public way within the town.

§ 161-175. Muffler required.

No person shall drive and no owner of a motor vehicle shall permit or allow the operation of any motor vehicle upon any street of the town unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

§ 161-176. Muffler cutout prohibited.

No person shall use a muffler cutout on any motor vehicle while such motor vehicle is being operated upon a street.

§ 161-177. Escape of contents from vehicles; violations and penalties.

- A. No vehicle shall be driven or moved on any street unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.
- B. Any person who shall violate Subsection A of this section shall be fined not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-eight dollars and seventy-five cents (\$28.75) and shall pay the costs of prosecution. For each subsequent like offense within one (1) year, he shall be fined not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than fifty-seven dollars and fifty cents (\$57.50) and shall pay the costs of prosecution. [Amended 5-18-1992 by Ord. No. 400]

§ 161-178

VEHICLES AND TRAFFIC

§ 161-182

§ 161-178. Transport of waste restricted; violations and penalties.

- A. No person shall transport upon a public street any meat, scrap, waste, bones or waste animal matter, except inside a vehicle having a closed body, the doors of which are kept securely fastened while the vehicle is moving on the highway.
- B. Any person who shall violate Subsection A of this section shall be fined not more than one hundred fifteen dollars (\$115) and shall pay the costs of prosecution. [Amended

trailer, one (1) other vehicle.

§ 161-184. Length of draw bar; markings on connections.

The draw bar or other connection between any two (2) vehicles, one (1) of which is towing or drawing the other on a street, shall not exceed fifteen (15) feet in length from one vehicle to the other. Whenever such connection consists of a chain, rope or cable, there shall be displayed upon such connection a red flag or other signal or cloth not less than twelve (12) inches both in length and width.

§ 161-185. Sufficient space to be allowed.

- A. The driver of any motor vehicle being driven in a caravan or motorcade upon any roadway outside a business or residential district, whether or not towing other vehicles, shall allow sufficient space so as to enable any other vehicle to enter and occupy such space without danger; provided, however, that this provision shall not apply to funeral processions.
- B. The driver of any motor vehicle drawing another vehicle upon any roadway outside a business or residential district which is following a motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space, but not less than two hundred (200) feet, so that an overtaking vehicle may enter and occupy such space without danger. This provision shall not prevent the driver of a motor vehicle drawing another vehicle from overtaking and passing any other vehicle.

ARTICLE XXI
Pedestrians

§ 161-186. Rights of pedestrians.

Pedestrians shall be subject to traffic control signals as provided in this chapter, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this Article.

§ 161-187

VEHICLES AND TRAFFIC

§ 161-191

§ 161-187. Right-of-way when in crosswalk.

- A. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- B. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- C. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other

vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

§ 161-188. Use of right half of crosswalks.

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

§ 161-189. Crossing street outside of crosswalk.

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

§ 161-190. Crossing at intersections with traffic control devices.

- A. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.
- B. No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

§ 161-191. Use of sidewalks; violations and penalties.

- A. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- B. Where sidewalks are not provided, any pedestrian walking along and upon a street shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

§ 161-191

VEHICLES AND TRAFFIC

§ 161-195

- C. Any person who shall violate any provision of this section shall for the first offense be fined not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-eight dollars and seventy-five cents (\$28.75) or imprisoned for not more than ten (10) days, or both, and shall pay the costs of prosecution. For each subsequent like offense within one (1) year, such person shall be fined not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than fifty-seven dollars and fifty cents (\$57.50) or imprisoned for not less than ten (10) days nor more than thirty (30) days, or both, and shall pay the costs of prosecution. [Amended 7-17-1989 by Ord. No. 400; 5-18-1992 by Ord. No. 400]

§ 161-192. Soliciting prohibited.

- A. No person shall stand in a street for the purpose of soliciting a ride, employment or

business from the occupant of a vehicle.

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

§ 161-193. Carrying of light after dark; violations and penalties.

- A. No pedestrian shall walk upon any roadway or the shoulders or any roadway of the town that is used for vehicular traffic without carrying a lighted lantern, lighted flashlight or other similar light or reflector-type device during the period of time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at any other time when there is not sufficient light to render clearly visible any person or vehicle on the highway.
- B. Any person who violates any provision of Subsection A of this section shall, for the first offense, be fined not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-eight dollars and seventy-five cents (\$28.75) and shall pay the costs of prosecution. For each subsequent like offense within one (1) year, such person shall be fined not less than twenty-eight dollars and seventy-five cents (\$28.75) nor more than fifty-seven dollars and fifty cents (\$57.50) and shall pay the costs of prosecution. **[Amended 7-17-1989 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 161-194. Walking while intoxicated prohibited.

No person shall walk or be upon a public street of this town while under the influence of intoxicating liquor or narcotic drugs.

§ 161-195. Use of white cane restricted to blind.

No person shall, unless totally or partially blind, carry in a raised position a cane or walking

§ 161-195

VEHICLES AND TRAFFIC

§ 161-200

stick which is white in color or white tipped in red.

§ 161-196. Drivers to exercise caution.

Notwithstanding the foregoing provisions of this Article, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person, or a person totally or partially blind, carrying a cane or walking stick white in color or white tipped with red, upon a roadway.

ARTICLE XXII
Unauthorized Use

§ 161-197. Tampering with vehicles prohibited.

§ 161-202. Bus stops; taxi stands.

- A. No driver of any vehicle other than a bus shall stand or park such vehicle in an officially designated bus stop, except that the driver of any vehicle may temporarily stop therein for the purpose of and while actually engaged in receiving or discharging passengers.
- B. No driver of any vehicle other than a taxicab shall stand or park such vehicle in an officially designated taxicab stand, except that the driver of any vehicle may temporarily stop therein for the purposes of and while actually engaged in receiving and discharging passengers.

§ 161-203. Loading and unloading of passengers.

No vehicle shall be parked upon the main traveled portion of any street, within the town for the purpose of loading or unloading or for the purpose of taking on or discharging passengers. Such vehicle shall only be loaded or unloaded or passengers shall only be taken or discharged at the curblines parked within the limits of the parking lane of any such street.

§ 161-204. Throwing objects from vehicles prohibited.

No person shall throw from any vehicle, while it is in motion, any goods, merchandise or bundles of any kind.

§ 161-205. Loading zones designated.

There are hereby established the following areas for loading and unloading of materials from vehicles engaged in the transportation of freight, merchandise or cargo of any kind:

- | | | |
|-----------|--|-----------|
| § 161-205 | VEHICLES AND TRAFFIC | § 161-206 |
| A. | The northeast corner of Market Street and Poplar Street. | |
| B. | Forty-five (45) feet south on Central Avenue from the southwest corner of Market Street and Central Avenue for a distance of sixty-five (65) feet. | |
| C. | The northeast corner of Market Street and Central Avenue. | |
| D. | The northeast corner of Market Street and Delaware Avenue. | |
| E. | The southeast corner of Fourth Street and Central Avenue. | |
| F. | The northwest corner of Second Street and Central Avenue. | |
| G. | The southwest corner of Market Street and Delaware Avenue. | |

§ 161-206. Time restrictions; violations and penalties.

- A. The loading and unloading of freight, merchandise or cargo of any kind shall be restricted for a twenty-four-hour day during the months when the parking meters are in effect.
- B. The maximum continuous length of time for which any vehicle unloading or loading freight, merchandise or cargo of any kind shall occupy a designated loading and unloading zone shall be twenty (20) minutes.
- C. Any police officer of the town, while in the performance of his duty, may remove or cause to be removed from any loading or unloading zone, at the expense of the owner/operator of any such motor vehicle, any motor vehicle parked or left standing in any loading or reloading zone designated in § 161-205 when the owner or operator is unable, unwilling or not available to move such motor vehicle immediately.
- D. Any person violating any of the provisions of this Article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not less than eleven dollars and fifty cents (\$11.50) nor more than twenty-three dollars (\$23) and shall pay the costs of prosecution; provided, however, that with the consent of the person charged with the violation under this Article, the Chief of Police or his designated representative may accept and receive, without hearing, not less than eleven dollars and fifty cents (\$11.50) as a penalty for such violations if such penalty is paid within ten (10) days from the date of the violation or accept twenty-three dollars (\$23) if such penalty is paid following the expiration of ten (10) days from the date of the violation. **[Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No. 400]**

§ 161-206

VEHICLES AND TRAFFIC

§ 161-208

ARTICLE XXIV

Registration and Licenses

§ 161-207. Registration of vehicles. [Amended 7-17-1989 by Ord. No. 400]

- A. No person who is a resident of the State of Delaware shall drive or move, nor shall any person, being the owner of a motor vehicle, knowingly permit to be driven or moved upon any street within the corporate limits of the town, any motor vehicle which has not been registered and or which current registration plates have not been issued by the Motor Vehicle Department of the State of Delaware; provided, however, that when an application has been made to the Motor Vehicle Department of the State of Delaware for registration and certificate of title for a vehicle, the same may be operated temporarily pending registration upon displaying a duplication application duly verified or other evidence of such application pursuant to rules and regulations

promulgated by the Department of Motor Vehicles of the State of Delaware. The registration card issued for a motor vehicle required to be registered shall at all times, while the motor vehicle is being operated upon a street within the corporate limits of the town, be in the possession of the operator thereof or carried in the vehicle and subject to inspection by any police officer of the town. However, an operator shall be allowed twenty-four (24) hours to produce the registration card before a conviction can be obtained for failure to have the registration in his possession or in the motor vehicle, such registration having been legally issued at the time prior to the arrest.

- B. A nonresident owner of a motor vehicle which has been duly registered for the current registration year in the state, county or other place where the owner is a resident shall at all time display upon such motor vehicle, when such motor vehicle is operated in this sate, the number plate or plates issued for any such vehicle in the place of residence of such owner.

§ 161-208. Valid operator's license required.

- A. No person shall drive a motor vehicle upon any street within the corporate limits of the town without having been licensed as an operator or chauffeur pursuant to the Law of the State of Delaware or pursuant to the laws of the home state or country of the operator.
- B. No person whose operator's or chauffeur's license or driving privileges have been suspended or revoked pursuant to the law of the State of Delaware shall drive any motor vehicle upon any street within the corporate limits of the town during the period of suspension or revocation.
- C. Any person to whom an operator's or chauffeur's license has been issued shall have such license in his immediate possession at all times when driving a motor vehicle and shall display the same upon demand by a uniformed police officer of the town or

§ 161-208

VEHICLES AND TRAFFIC

§ 161-209

by the Alderman of the town. It shall be a defense to any charge under this subsection if the person so charged produces in court an operator's or chauffeur's license theretofore issued to such person and valid at the time of his arrest. **[Added 7-17-1989 by Ord. No. 400]**

- D. **[Added 7-17-1989 by Ord. No. 400]** It shall be unlawful for any person to commit or cause to be committed any of the following acts:
 - (1) Display or cause or permit to be displayed or have in possession any operator's license knowing such license to be fictitious or to have been canceled, revoked, suspended or altered;
 - (2) Lend to, or knowingly permit the use of, by one not entitled thereto any operator's license issued to the person so lending or permitting the use thereof;

- (3) Display, or represent as one's own, any operator's license not issued to the person so displaying the license;
- (4) Fail or refuse to surrender to a police officer or the Secretary of Public Safety any operator's license which has been suspended, canceled or revoked as provided by law;
- (5) Use a false or fictitious or give a false or fictitious address in any application for an operator's license, or in renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any such application or in any examination for an operator's license.

§ 161-209. Use of farm trucks. [Added 7-17-1989 by Ord. No. 400]

- A. No person operating a motor farm truck which is registered by a farmer to be used exclusively by farmers in the operations of their farms and bearing an "F" license tag shall hire or rent the motor farm trucks or permit the same to be used for hauling merchandise, farm products or other items whatsoever under rent, hire or for pay, nor shall use such farm trucks for any use except in the operation of the farms owned or rented by the registered owner of such trucks or in aid of an assistance to other farmers for harvest purposes.
- B. No registration for motor farm trucks is required if they are:

- (1) Not used for hire;

§ 161-209

VEHICLES AND TRAFFIC

§ 161-210

- (2) Used exclusively as farm machinery or farm implements;
- (3) Operated or towed upon a street within the town solely for the purpose of traveling from one farm or portion thereof to another farm or portion thereof, both owned and managed by the owner of the vehicles, with the distance to be traveled on any street within the town not to exceed five (5) miles;
- (4) Operated or towed upon a street only during the hours between sunrise and sunset; and
- (5) Properly equipped with a stop light, turn signals and brakes which are in a safe operating condition.

§ 161-210. Violation of registration provisions. [Added 7-17-1989 by Ord. No. 400]

No person shall:

- A. Operate or, being the owner of any motor vehicle, trailer or semitrailer, knowingly permit the operation upon a street of the town of any motor vehicle, trailer or semitrailer which is not registered or which does not have attached thereto and displayed thereon the number plate or plates assigned thereto by the Department of Motor Vehicles an unexpired registration plate or plates, always subject to exemptions permitted by the Motor Vehicle Code of the State of Delaware, or under temporary or limited permits as otherwise provided in said Code;
- B. Display or cause or permit to be displayed or have in possession any registration card number plate or registration plate, knowing the same to be fictitious or to have been canceled, revoked, suspended or altered;
- C. Lend to, or knowingly permit the use by, one not entitled thereto any registration card number plate or registration plate issued to the person so lending or permitting the use thereof;
- D. Drive or move or, being the owner, cause or knowingly permit to be driven or moved, on any street of the town any vehicle or any combination of vehicles which is in such unsafe condition so as to endanger any person or which is equipped in any manner in violation of any provision of this chapter, but the provisions of this section with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers or farm tractors except as herein made applicable.
- E. Do any act or fail to perform any act required under the provisions of this chapter.

§ 161-211

VEHICLES AND TRAFFIC

§ 161-214

§ 161-211. Unauthorized use of or additions to plates. [Added 7-17-1989 by Ord. No. 400]

No persons shall use or exhibit in a manner or at a time not authorized by the provisions of the Motor Vehicle Code or by Rules or Regulations of the Department of Highways and Transportation with respect thereto, any number of registration plates or accessory plates, or display or use any unauthorized design, symbol or legend on or attached to any such plates.

§ 161-212. Display of number plates. [Added 7-17-1989 by Ord. No. 400]

- A. The number plate assigned to a motor vehicle shall at all times be attached to the rear of the motor vehicle; except that truck trailers attached to trailers or semitrailers, whether coupled or uncoupled, shall display the number plate on the front of such vehicle in such a manner as to be easily identified. Such number plate shall meet the requirements of Subsection B of this section.
- B. Every number plate shall at all times be fastened securely to the motor vehicle to

which it is assigned so as to prevent the plate from swinging and at a height not less than 12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

- C. No number plate or any portion thereof shall be covered with any tinted material, nor shall any other material be placed on or around a number plate which would conceal and/or obscure any information contained thereon, including the registration expiration sticker. Plate frames that do not conceal and/or obscure any information contained on the plate, including the registration expiration sticker, are not prohibited by this section. **[Added 7-15-1996]**

§ 161-213. Expiration of registration upon transfer of title. [Added 7-17-1989 by Ord. No. 400]

Whenever the owner of a motor vehicle registered under the provisions of the Motor Vehicle Code of the State of Delaware transfer or assigns his title or interest thereto, the registration of such motor vehicle shall expire.

§ 161-214. License to operate a motorcycle or other two-wheeled motor-driven vehicle. [Added 7-17-1989 by Ord. No. 400]

No person shall operate a motorcycle, motorbike or other two-wheeled motor-driven vehicle upon a street of the town without first having been properly licensed pursuant to the laws of the State of Delaware or pursuant to the laws of the home state or country of the operator.

§ 161-215

VEHICLES AND TRAFFIC

§ 161-220

§ 161-215. Operation of vehicle by unlicensed minor. [Added 7-17-1989 by Ord. No. 400]

No person shall cause or knowingly permit any minor to operate or drive a motor vehicle unless such minor has first obtained an operator's license to drive a motor vehicle pursuant to the provisions of the laws of this state.

§ 161-216. Employment of unlicensed person. [Added 7-17-1989 by Ord. No. 400]

No person shall employ any person to operate motor vehicle who is not licensed as provided by the laws of the State of Delaware.

§ 161-217. Authorizing or permitting the operation of a motor vehicle by another. [Added 7-17-1989 by Ord. No. 400]

No person shall authorize or permit a motor vehicle owned by him or under his control to be driven by any person knowing that said person has no legal right to do so.

§ 161-218. Driving vehicle while license is suspended or revoked. [Added 7-17-1989 by Ord. No. 400]

No person whose driver's license or driving privileges, or both, have been suspended or revoked shall drive any motor vehicle upon any street of the town during the period of suspension or revocation.

§ 161-219. Liability for towing expenses. [Added 7-17-1989 by Ord. No. 400]

Whenever a motor vehicle is towed in connection with the enforcement of § 161-228 of this chapter or a criminal offense for which a violation of § 161-228 of this chapter is an element, the person to whom the motor vehicle is released shall be liable for the towing and storage costs, except that the town shall be liable for such costs if the driver was not actually arrested for driving in violation of § 161-228 of this chapter or another criminal offense as a result of that incident and no existing situation reasonably necessitated such towing.

§ 161-220. Driving vehicle after suspension, revocation or license denial. [Added 7-17-1989 by Ord. No. 400]

No person shall drive a motor vehicle on a public street or highway of the town after serving a period of suspension, revocation or license denial, without first having obtained a valid license through proper reinstatement procedures as prescribed.

§ 161-221

VEHICLES AND TRAFFIC

§ 161-225

ARTICLE XXV
Additional Passing Regulations.

§ 161-221. Passing on left restricted.

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe direction of any vehicle approaching from the opposite direction.

ARTICLE XXVI
Skateboards

§ 161-222. Definition.

operating or in physical control of a motor vehicle in violation of the provisions of this section. **[Added 7-17-1989 by Ord. No. 400]**

- E. Any person convicted under Subsection A of this section shall be fined, for the first offense, not less than one hundred fifteen dollars (\$115) nor more than two hundred eight-seven dollars and fifty cents (\$287.50), or imprisoned not less than ten (10) days nor more than thirty (30) days, or both. For each subsequent like offense, he shall be fined not less than two hundred eighty-seven dollars and fifty cents (\$287.50) nor more than five hundred seventy-five dollars (\$575) and imprisoned not less than thirty (30) days nor more than sixty (60) days. **[Added 2-19-1990 by Ord. No. 400]**
- F. At the time a chemical test specimen is required, the person may be informed that, if testing is refused, the person's driving license and driving privileges, or both, shall be revoked for at least one (1) year. Only a duly licensed physician, a radical technician or a registered nurse acting at the request of a police officer may withdraw blood from a person submitting to a chemical test under the provisions of this section, but this limitation shall not apply to obtaining a specimen of breath or urine, and qualified personnel shall include a police officer as well as a duly licensed physician, a medical technician or a registered nurse. If there are reasonable grounds to believe that there is impairment by a drug or drugs which are not readily subject to detection by a breath test, a blood or urine test, or both, may be required even after a breath test has been administered. The fact that a police officer offered or required a person to submit to a preliminary screening test of his breath in order to estimate the alcohol concentration of the person's blood at the scene of the stop or other illegal encounter between the officer and the person shall have no bearing upon the implied consent provisions of this section. Refusal to take such a preliminary screening test shall not be deemed an

§ 161-228

VEHICLES AND TRAFFIC

§ 161-228

implied consent violation, nor shall the taking of such a test satisfy the requirements of the implied consent law. **[Added 7-17-1989 by Ord. No. 400]**

- G. If a person refuses to permit chemical testing after being informed of the penalty of revocation for such refusal, the test shall not be given, but the police officer shall report the refusal to the Department of Public Safety. The police officer may, however, take reasonable steps to conduct such chemical testing even without the consent of the person if he seeks to conduct such test or tests without informing the person of the penalty of revocation for such refusal and thereby invoking the implied consent law. If a person refuses to permit chemical testing after being informed of the penalty of revocation for such refusal, the police officer may certify to the Department of Public Safety that there existed probable cause to believe that the person had been acting in violation of the provisions of this section and that the person refused to submit to a chemical test after being informed of the penalty of revocation for such refusal. **[Added 7-17-1989 by Ord. No. 400]**
- H. On behalf of the Secretary of Public Safety, the police officer offering a chemical test

or directing the administration of a chemical test shall serve immediate notice of revocation on a person who refuses to permit chemical testing after being informed of the penalty of revocation for such refusal or on a person who is arrested on that occasion for a violation of this section or for a violation of a criminal statute dealing with injury or death caused to another person by the person's driving or operation of the motor vehicle if driving under the influence is included as an element of such charge. The police officer shall take the Delaware license or permit of the driver in such case and shall issue a temporary license effective only for fifteen (15) days with a provision for an additional period if a written request for a hearing is received by the Division of Motor Vehicles of the State of Delaware within the fifteen-day period. The police officer shall send the person's driver's license or permit to the Secretary of Public Safety along with the certificate required by Subsection G of this section. **[Added 7-17-1989 by Ord. No. 400]**

- I. Upon the request of any person submitting to a chemical test under the provisions of this section, the result of such test shall be made available to him unless he has entered a plea of guilty to the charge made against him. **[Added 7-17-1989 by Ord. No. 400]**
- J. If for any reason, a person is physically unable to supply enough breath or to complete the chemical tests, he shall submit to such other chemical test or tests as authorized by this section as the police officer shall elect subject to the provisions of this section. Any person who is unconscious or is otherwise in a condition rendering him incapable of refusal shall be deemed not to have withdrawn the consent provided in this section and any test may be performed as provided in this section. **[Added 7-17-1989 by Ord. No. 400]**

§ 161-228

VEHICLES AND TRAFFIC

§ 161-229

- K. Upon the trial of any action or proceeding arising out of the acts alleged to have been committed by any person while in violation of the provisions of this section, the court may admit evidence of the refusal of such person to submit to a chemical test of his breath, blood or urine, or any of them, under the provisions of this section. **[Added 7-17-1989 by Ord. No. 400]**
- L. Upon the trial of any action or proceeding arising out of acts alleged to have been committed by any person while under the influence of alcohol, a drug or drugs, with respect to any chemical tests taken by or at the request of a police officer, the court shall admit the results of a chemical test of the person's breath, blood or urine according to the normal rules of search and seizure law. The informing or failure to inform the accused concerning the implied consent law shall not affect the admissibility of such results in any case, including a prosecution for a violation of the provisions of this section. The informing of an accused concerning the implied consent law shall only have the application and be relevant at a hearing concerning revocation of the driver's license of said person for a violation of the implied consent law. Nothing contained in this subsection shall be deemed to preclude the admissibility of such evidence when such evidence has been obtained by a valid

consent or other means, making the obtaining of the evidence legal under the Fourth Amendment. The doctor-patient privilege shall not apply to the disclosure to law-enforcement personnel nor the admissibility into evidence in any criminal proceeding of the results of any chemical tests of a person's blood, breath or urine for the purpose of determining the alcohol or drug content of his blood, irrespective of whether such test was done at the request of a treating physician or other medical personnel or a police officer. [Added 7-17-1989 by Ord. No. 400]

ARTICLE XXVIII
Establishment of Snow Emergency Routes

§ 161-229. Snow emergency routes defined.

It shall in like manner be unlawful to park a vehicle or permit any vehicle to remain parked on any of the following streets during any snowfall exceeding one (1) hour in duration:

- A. From the eastern town limits on Route 24, which includes Fourth Street, Market Street and West Street to the southeastern town limits of Route 24.
- B. From the northern town limits on Route 13A which includes Central Avenue to the southern town limits of Route 13A.

§ 161-230

VEHICLES AND TRAFFIC

§ 161-234

§ 161-230. Towing required.

The Police Department of the Town of Laurel and any individuals, firms or corporations acting at the request and on behalf of the said Police Department shall be vested with the authority to remove or tow away any vehicles which during the times and under the conditions set forth in § 161-229 shall be parked.

§ 161-231. Place of storage.

All vehicles removed or towed away pursuant to this Article shall be taken to a storage area selected by the Police Department and shall remain there until such time as a release is obtained from the Police Department.

§ 161-232. Payment for storage and penalties.

The owner or owners and/or the operator of any vehicle impounded pursuant to this Article shall, before the vehicle is released, pay all expenses incurred by the removal or towing of such vehicle, in addition to any fine and cost provided for in this Article.

§ 161-233. Fines and penalties. [Amended 2-19-1990 by Ord. No. 400; 5-18-1992 by Ord. No.

vehicle or members of the household; provided, that the owner of a motorcycle may elect to exclude from such coverage expenses incurred as a result of injury to any person riding such vehicle while not on a street and in any case of injury when no other vehicle was involved by actual collision or contact. This election shall be made in writing and signed by the owner of the vehicle; insurers issuing such policies may not require such reductions.

- G. Compensation for damage to property arising as a result of an accident involving the motor vehicle, other than damage to a motor vehicle, aircraft, watercraft, self-propelled mobile equipment and any property in or upon any of the aforementioned, with a limit of ten thousand dollars (\$10,000) for any one (1) accident.
- H. Compensation for damage to the injured motor vehicle, including loss of use of the motor vehicle, not to exceed the actual cash value of the vehicle at the time of the loss and ten dollars (\$10) per day, with a maximum payment of three hundred dollars (\$300) for the loss of use of such vehicle; provided, however, that the owner of a motor vehicle may elect to exclude, in whole or in part, the coverage described in this subsection by the use of certain deductibles and exclusions in accordance with filings made by the insurer with the Department of Insurance of the State of Delaware.
- I. Only insurance policies validly issued by companies authorized to write insurance in this state and the kinds of insurance embodied in the required coverages shall satisfy the requirements of this section.

§ 161-234

VEHICLES AND TRAFFIC

§ 161-234

- J. Nothing in this section shall be construed to prohibit the issuance of policies providing coverage more extensive than the coverages required by this section or to require the segregation of such minimum coverages from other coverages in the same policy.
- K. The coverages described in this section may be subject to conditions and exclusions customary to the field of liability, casualty and property insurance and not inconsistent with the requirements of this section, except that there shall be no exclusion to any person who sustains bodily injury or death to the extent that benefits therefor are in whole or part either payable or required to be provided under any workmen's compensation law.
- L. The operator of any motor vehicle upon any street in the town shall have in his possession an insurance identification card issued for a vehicle required to be registered by the State of Delaware and shall be produced upon the request of a police officer or any party involved in an accident with the insured. However, an operator shall not be convicted under this section if, prior to conviction, he shall produce to the court in which the offense is to be tried the insurance identification card or, in lieu thereof, other sufficient proof of insurance showing such insurance to be in full force and effect at all pertinent times when the motor vehicle is being operated upon any street in the town.

- M. Whoever violates any provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined for the first offense not less than one hundred seventy-two dollars and fifty cents (\$172.50) nor more than two hundred eighty-seven dollars and fifty cents (\$287.50) or imprisoned for a term of not less than ten (10) days nor more than thirty (30) days, or both, and shall pay the costs of prosecution. For each subsequent like offense, occurring within three (3) years of a former offense, any person who violates any provisions of this section shall be fined not less than two hundred eighty-seven dollars and fifty cents (\$287.50) nor more than five hundred seventy-five dollars (\$575) or imprisoned for a term not less than 30 days nor more than 60 days, or both, and shall pay the costs of prosecution. **[Amended 5-18-1992 by Ord. No. 400]**
- N. The failure of the owner or operator of a motor vehicle to produce an insurance identification card for insurance which is in full force and effect at the time of the offense shall be presumptive evidence that such person is operating his or her motor vehicle without having the insurance required by this section.

§ 161-235

VEHICLES AND TRAFFIC

§ 161-236

ARTICLE XXX
Authority of Town Manager

§ 161-235. Erection and installation of devices.

The Town Manager shall have authority when, in his or her discretion, the needs of public safety or traffic conditions, or both, require such, to cause traffic control devices to be installed, removed or replaced, or the parking limits on any street to be changed, stop signs to be erected, removed or replaced and to designate parking areas and areas in which no motor vehicles shall be parked, to designate fire lanes and to designate one-way streets, and he or she shall cause appropriate signs to be erected; provided, however, that no violation shall occur until appropriate signs have been erected, after which time all fines and penalties shall be applicable for any violation, and provided further that all such actions of the Town Manager shall be reported at the next regular meeting of the Town Council, at which time the Town Council shall enact an ordinance carrying into effect any such action taken by the Town Manager. If the Town Council fails or refuses to enact such an ordinance, the action taken by the Town Manager pursuant to this section shall be of no effect upon the adjournment of the meeting.

ARTICLE XXXI
Penalty Provision
[Added 5-18-1992 by Ord. No. 400]

§ 161-236. Schedule of fines. [Amended 2-1-1999]

Traffic violation fines through the Alderman’s Court will be in line with the State of Delaware traffic violations, Title 21.

Article	Section	Offense	Minimum	Maximum
VI	§ 161-27B	Angle parking required If paid after ten (10) days	\$ 11.50 23.00	\$ 23.00
VI	§ 161-28C	Double parking prohibited If paid after ten (10) day	11.50 23.00	23.00
VI	§ 161-29B	Restricted parking spaces If paid after ten (10) days	11.50 23.00	23.00
§ 161-236		VEHICLES AND TRAFFIC		§ 161-236

Article	Section	Offense	Minimum	Maximum
VI	§ 161-30B	Establishment of no-parking areas If paid after ten (10) days	11.50 23.00	23.00
VI	§ 161-31B	Parallel parking If paid after ten (10) days	11.50 23.00	23.00
VI	§ 161-32C	Parking in front of post office If paid after ten (10) days	\$ 11.50 23.00	\$ 23.00
VI	§ 161-33B	Parking on sidewalks If paid after ten (10) days	11.50 23.00	23.00

		officer Subsequent offense	230.00	575.00
IX	§ 161-56E	Regulation for passengers	28.75	
XI	§ 161-78C	Regulation for truck traffic If paid after ten (10) days	28.75 115.00	115.00
XIV	§ 161-99B	Reckless driving prohibited Subsequent offense	28.75 57.50	230.00 460.00
XIX	§ 161-177B	Escape of contents from vehicles Subsequent offense	11.50 28.75	28.75 57.50
XIX	§ 161-178B	Transport of waste restricted		115.00

§ 161-236

VEHICLES AND TRAFFIC

§ 161-236

Article	Section	Offense	Minimum	Maximum
XIX	§ 161-182B	School buses to be equipped with snow tires or chains	11.50	115.00
XXI	§ 161-191C	Use of sidewalks Subsequent offense	11.50 28.75	28.75 57.50
XXI	§ 161-193B	Carrying of light after dark Subsequent offense	11.50 28.75	28.75 57.50
XXII	§ 161-200	Unauthorized use Subsequent offense	\$ 57.50 230.00	\$ 230.00 575.00
XXIII	§ 161-206D	Time restrictions If paid after ten (10) days	11.50 23.00	23.00

- b. Class II scooters are human powered.
- (2) The term scooter, when used in this section without a class designation, shall be deemed to include both class I and II scooters.

Sec. 161-238. Proper Operation of Scooters

- (a) Class I scooters operated within in the Town Limits shall obey all applicable “Rules of the Road” as set forth in the State of Delaware Motor Vehicle Code, Title 21, Chapter 41, Subchapters I through XI.
- (b) Class II scooters shall obey all applicable laws relating to bicycles as set forth in the State of Delaware Motor Vehicle Code, Title 21, Chapter 41, Subchapter XII- “Operation of Bicycles and Other Human Powered Vehicles.
- (c) No person shall:
 - (1) Operate a Class I scooter whose license is suspended or revoked.
 - (2) Under the age of 18 shall operate any scooter, unless that person is wearing a properly fitted and fastened bicycle type helmet which meets or exceeds the standard of the American National Standards Institute (ANSI Z90, 4 bicycle helmet standard or subsequent standard) or the Snell Memorial foundation’s 1984 Standard (or subsequent standard) for Protective Headgear for Use in Bicycling.

§ 161-238

VEHICLES AND TRAFFIC

§ 161-238

- (a) Any parent or guardian of a juvenile operating any class of scooter who fails to cause that juvenile to wear a helmet as provided herein, shall be subject to the penalties in Section 246 this article.
- (b) Any parent or guardian of a juvenile who authorizes or knowingly permits that juvenile to violate any of the provisions of Section 238 through Section 245 of the code or that of Title 21 of the Delaware Motor Vehicle Code, shall be subject to penalties as provided in Section 246 of this section or the applicable penalty section of Title 21 of the Delaware Motor Vehicle Code.
- (c) No more than one person shall occupy a position on a Class I or II scooter at any time.
- (d) No person shall operate a scooter on any roadway within the Town Limits with a speed limit of more than 25 miles per hour. The operator of a Class I scooter may enter into an intersection to cross over a roadway with a speed limit greater than 25 miles per hour, but shall not deviate from the original direction of travel.
- (e) Every scooter, when in use at nighttime, shall be equipped with:

- (1) A lamp on the front that shall emit a white light visible from a distance of at least 500 feet to the front.
 - (2) A red reflector, that shall be visible for 600 feet to the rear when in front of lawful lower beams of head lamps on a motor vehicle. The operator may, in lieu of a reflector, wear reflective clothing or reflective safety vests of sufficient size and reflectivity to visible to the rear the same distance as a reflector.
- (f) Every scooter shall be equipped with a brake or brakes which will enable its operator to stop the scooter within 25 feet from a speed of ten miles per hour on dry, level, clean, pavement.
- (g) No person shall operate a Class I scooter within the Town Limits of Laurel unless such a scooter is equipped with a muffler in good working order and in accordance with manufacturer's specifications and in constant operation to prevent excessive or unusual noise. The use of after market muffler or expansion chamber type devices that emit a noise louder than that of an original equipment muffler is prohibited.
- (h) No person riding or operating a scooter shall attach the scooter or personally attach him/herself to any vehicle within the Town Limits of Laurel.

§ 161-238

VEHICLES AND TRAFFIC

§ 161-239

- (i) Any person operating a scooter upon a roadway at less than the normal speed of traffic at the time and place and under conditions existing, shall ride or operate as close as practicable to the right edge of the roadway except under any of the following circumstances:
1. When overtaking or passing another vehicle proceeding in the same direction;
 2. When preparing for a left turn at an intersection or in to a private road or driveway; or
 3. When reasonably necessary to avoid conditions including, but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or substandard width lanes that make it unsafe to continue along the right edge of the roadway.
- (j) No person operating or riding a scoter shall carry any package, or bundle or article which prevents the use of both hands in the control and operation of the scooter. A person operating a scooter shall keep at least one hand on the handle bar at all times.

(k) A person riding or operating a scooter intending to turn left shall follow a course described in Title 21 section 4152 of the Delaware Motor Vehicle Code.

Sec.161- 239. Proper Signaling Procedures

(a) A person riding or operating a scooter shall give hand and arm signals as follows:

- (1) Left Turn-Left hand arm extended horizontally and to the left side of the scooter
- (2) Right Turn- Right hand and arm extended horizontally and to the right side of the scooter or the upper left arm extended horizontally to the left side of the scooter with the lower portion of the arm and hand at an upward 90 degree angle.
- (3) Slow or decrease speed- Left upper arm extended horizontally to the left side of the scooter and with the lower portion of the arm and hand extended downward at a 90 degree angle

(b) A signal of intention to turn left or right when required shall be given continuously during not less than the last 100 feet traveled by the scooter before turning and shall be given while a scooter is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is need in the control or operation of the scooter.

§ 161-240

VEHICLES AND TRAFFIC

§ 161-244

Sec. 161-240. Scooter Parking Prohibited

A scooter shall not be parked on a sidewalk or roadway in a manner that impedes the reasonable movement of pedestrians or other traffic.

Sec. 161-241. Scooter Racing Prohibited

- (a) Scooter racing is prohibited within the Town Limits and is further prohibited on roadways by Title 21 section 4172 of the Delaware Motor Vehicle Code.
- (b) Class I scooters shall not be operated by two or more abreast.
- (c) Class II scooters shall not be operated on sidewalks two or more abreast

Sec. 161-242. Unsafe or Improperly Equipped Scooters

A police officer may at any time, upon reasonable cause, to believe that a scooter is unsafe or not equipped properly as required by this section, or that its equipment is not in proper repair or adjustment or has a modified muffler, require the person operating or riding the scooter to stop and submit to an inspection and such test with reference thereto as may be appropriate.

- (a) A person shall not ride or operate a scooter with earplugs or wearing a headset. (Prosthetic devices which aid the hearing impaired are not an earplug or headset under this subsection).
- (b) A person shall not ride or operate a scooter within the Town Limits while under the influence of intoxicating liquor and/or narcotics or drugs. Riders or operators violating this subsection shall, if probable cause exist be subject to arrest under provisions of Title 21 section 4177 of the Delaware Motor Vehicle Code.

Sec.161- 243. Prohibited Locations for operations of a scooter.

- (a) No person shall operate a Class I scooter on a sidewalk within the Town Limits.
- (b) No person shall ride or operate a scooter on private property without the verbal consent of the property owner.
- (c) No person shall operate a scooter on commercial property without written consent from the commercial property owner or their designee.

Sec. 161-244 Procedures for Enforcing No Trespassing by scooters.

- (a) If a private or commercial property owner or their representative, believes a rider or operator of a scooter is trespassing on the owner’s property the owner or representative must:

1. Have personally informed the trespasser to leave the property. The mere posting of a “ No Trespassing” sign does not relieve the property owner or representative of verbally informing the trespasser to vacate the property. If in fact, the trespasser then immediately vacates the property, a charge of trespass may not be initiated.
2. Attempt to obtain the name, address and date of birth of trespasser. Inform the trespasser of the date and time, indicating to the trespasser that information will be documented and, if any further trespass actions occur by that individual, a warrant will be obtained. (In the case of a juvenile, the property owner or representative is encouraged to forward written correspondence to the violator’s residence notifying the parents or guardians of the incident.
3. Be able to identify the trespasser by description and name.
4. Report the trespass to the Laurel Police Department for prosecution.
5. Sign the warrant for the charge of Criminal Trespass in the Third Degree; (Title 11, section 821).
6. Be available to provide court testimony in reference to the matter when it comes to trial.

§ 161-244

VEHICLES AND TRAFFIC

§ 161-246

Sec.161- 245 Personal Injury or Property Damage Responsibility

- (a) A rider operator of a scooter involved in a personal injury or property damage accident anywhere within the Town Limits of Laurel, shall remain on the scene and shall insure that scooter remains at the scene of the accident. No person shall remove a scooter from any accident scene until authorized to do so by the Laurel Police Department. The rider/operator shall also comply with Sections 4201 through 4207, as applicable, of Chapter 42, Title 21 of the Delaware Motor Vehicle Code.
- (b) The Laurel Police Department shall be immediately notified of all scooter involved accidents. The operator or rider of the scooter shall identify him/herself by name, address and date of birth at the accident scene.
- (c) Should any rider or operator of a Class I or II scooter be involved in a property damage or personal injury accident, and is charged and found to be at fault, that rider, operator or the guardian or owner of the scooter shall be subject to restitution as set forth in 246(e).

Sec.161- 246 Penalties for violations.

- (a) Penalties for violations of Section 242(b) while riding or operating a Class I or II scooter shall be as proscribed for that violation under Title 21 Section 4177 of the Delaware Motor Vehicle Code.
- (b) Penalties for violations of Section 243(b) or (c) while riding or operating a Class I or II scooter shall be as proscribed under Title 11 Section 4207 of the Delaware Criminal Code.

§ 161-246

VEHICLES AND TRAFFIC

§ 161-247

- (c) Penalties for all other Sections of Article XXXII while operating a Class I scooter shall be as follows:
 - 1st Offense - \$25.00 plus court cost
 - 2nd Offense - \$50.00 plus court cost
 - 3rd Offense and subsequent offenses- \$100.00 to \$500.00 plus court cost and forfeiture of the scooter to the Laurel Police Department for destruction. The court order forfeiture of the scooter shall not be suspended. For the purposes of forfeiture, all violations occurring in one 24-hour period shall only be counted as one offense.
- (d) Penalties for all other Sections of Article XXXII while operating a Class II scooter are as follows:
 - 1st offense- \$10.00 -plus court cost
 - 2nd Offense- \$25.00 court cost
 - 3rd Offense - \$25.00 to \$50.00 plus court cost
- (e) Upon conviction of an offense that was a causal factor for a property damage or personal injury accident , the rider, operator or parent/guardian of a juvenile rider or operator or the owner who allowed a rider or operator to use the owners scooter shall,

in addition to any other penalties set by the court, be ordered to pay restitution as follows when applicable:

- (1) The cost of repairing property and/or the insurance deductible amount paid or billed to the other parties in the accident and/or
- (2) The medical bills of a person or persons injured in an accident

Sec. 161-247. Severability.

Should any subsection, sentence, clause or phrase of this section be declared invalid by a court competent jurisdiction, such decision shall not affect this section in its entirety or any part thereof other than that so declared to be invalid.