

# YALE CITY CODE

## Chapter 24

### TRAFFIC

#### Article 1. Words and Phrases Defined

##### Sec. 24-1. Definition of words and phrases.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section:

(1) **Autocycle.** An autocycle is any motor vehicle having a seat or saddle for the use of each rider, that has three wheels in contact with the ground but excluding a tractor and has a combustion engine with a piston or rotor displacement of one hundred fifty (150) cubic centimeters or greater. For each occupant safety belts or safety shoulder harnesses which shall be of a type and shall be installed pursuant to 49 C.F.R. Section 571. An autocycle shall be registered as a motor vehicle.

(2) **Bicycle, Electric-Assisted Bicycle and Motorized Bicycle.** As used in this article, the term "bicycle" shall include tricycles, quacycles, or similar human-powered devices, electric-assisted bicycle and motorized bicycles unless otherwise specifically indicated. A bicycle is a device upon which any person or persons may ride, propelled solely by human power through a belt, chain, or gears and having two or more wheels, excluding mopeds. An electric-assisted bicycle is any bicycle with two or three wheels and fully operative pedals for human propulsion. And equipped with an electric motor with a power output of not more than seven hundred fifty (750) watts that meets the requirements of one of the following three classes:

(a) Class 1 electric-assisted bicycle shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(b) Class 2 electric-assisted bicycle shall mean an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(c) Class 3 electric-assisted bicycle shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

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(d) An electric-assisted bicycle shall meet the manufacturing and equipment requirements adopted by the Consumer Product Safety Commission for bicycles and shall operate in such a manner that the electric motor disengages or ceases to function when the rider stops pedaling or the brakes are applied.

(e) A motorized bicycle is any bicycle having fully operative pedals for propulsion by human power, a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged and has a combustion engine with a piston or rotor displacement of eighty (80) cubic centimeters or less, and which is capable of propelling the bicycle at a maximum speed of not more than thirty-five (35) miles per hour on level ground.

(3) Bus. Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons and every motor vehicle, other than a taxicab designed and used for transportation of persons for compensation.

(4) Controlled-Access Highway. Every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

(5) Crosswalks.

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(6) Curb Loading Zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(7) Driver. Every person who drives or is in actual physical control of a vehicle.

(8) Emergency Vehicle. When properly equipped as prescribed by Oklahoma Statute

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shall include:

- (a) Vehicles of fire departments.
- (b) Ambulances or vehicles specified pursuant to Section 1-2512 of Title 63 of the Oklahoma Statutes.
- (c) State vehicles of law enforcement agencies.
- (d) County vehicles of Sheriffs and full-time commissioned Deputies and vehicles designated by the Sheriff for support of the Sheriff's office, including privately owned vehicles driven by the Sheriff or full-time, part-time and reserve commissioned Deputies, provided the audible sirens and flashing red lights equipped on such privately owned vehicles are used only in a law enforcement capacity and in the course of duty.
- (e) Municipal vehicles of police departments.
- (f) Vehicles owned by the United States Marshals service or the Federal Bureau of Investigation.
- (g) Vehicles owned by Oklahoma National Guard units designated by the Adjutant General for support for civil authorities.
- (h) Vehicles owned and operated by any local organization for emergency management as defined by Section 683.3 of Title 63 of the Oklahoma Statutes.
- (9) Freight Club Loading Zone. A space adjacent to the curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.
- (10) Highway or Street. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The words "highway" and "street" are synonymous.
- (11) Intersection.
  - (a) The area embraced within the prolongation connection of lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

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

(12) Lane roadway. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

(13) Motor Vehicle. Every vehicle which is self-propelled.

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

(15) Motor Driven Cycle, Any motor vehicle having:

(a) A power source that if the power source is a combustible engine, has a piston or rotor displacement of greater than thirty-five cubic centimeters (35 cu cm) but less than one hundred fifty cubic centimeters (150 cu cm) regardless of the number of chambers in the power source or if the power source is electric output of greater than one thousand (1,000) watts, and

(b) A seat or saddle for the use of each rider; and

(c) Not more than 3 wheels in contact with the ground.

(16) Moped. Any motor-driven cycle with a motor which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty-five (35) miles per hour on level ground. If an internal combustion engine is used, engine displacement shall not exceed fifty (50) cubic centimeters, and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

(17) Motorized Scooter. Any vehicle having the following:

(a) Not more than three wheels in contact with the ground, handlebars and a foot support or seat for the use of the operator.

(b) A power source that is capable of propelling the vehicle at a maximum design speed of not more than twenty-five (25) miles per hour on level ground.

(c) If the power source is a combustion engine, has a piston or rotor

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displacement of thirty-five (35) cubic centimeters (35 cu cm) or less regardless of the number of chambers in the power source.

(d) If the power source is electric, has a power output of not more than one thousand (1,000) watts.

(18) Official Traffic Control Devices. All signs, barricades, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction and for the purpose of regulating, warning, or guiding traffic.

(19) Parking or Park. Means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

(20) Passenger Curb Loading Zone. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(21) Pedestrian. Any person afoot.

(22) Person. Every natural person, firm, or partnership, association or corporation.

(23) Police Officer. Every officer, including reserve officers, of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations.

(24) Private Road or Driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner but not by other persons.

(25) Railroad. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(26) Railroad Train. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

(27) Right of Way. The privilege of the immediate use of the roadway.

(28) Roadway. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

(29) Safety Zone or Island. An area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate

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signs as to be plainly visible at all times while set apart as a safety zone or island.

(30) Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

(31) Stand or standing. Means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

(32) Street Legal Utility Vehicle. A "street legal utility vehicle," is any motor vehicle having the following:

(a) A bench seat or side-by-side seat for the use of each rider

(b) Four wheels in contact with the ground, but excluding a tractor.

(c) A combustion engine with a piston or rotor displacement of four hundred cubic centimeters (400 cu cm) or greater and capable of maintaining speeds of forty-five (45) miles per hour or greater.

(d) For each occupant, safety belts or safety shoulder harnesses which shall be of a type and installed pursuant to 49 C.F.R. Section 571.

(e) All equipment required by the provisions of Section 12-201 through 112-232 of Title 47 of the Oklahoma Statutes.

A street-legal utility vehicle operated on the streets and highways of the City of Yale shall be registered as a motor vehicle.

(33) Stop. When required, means complete cessation from movement.

(34) Stop or Stopping. When prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(35) Through Highway. Every highway or portion thereof on which vehicle traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right of way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter.

(36) Traffic. Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

(37) Traffic Control Signal. Any device, whether manually, electrically, or

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mechanically operated, by which traffic is alternately directed to stop and to proceed.

(38) Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

It is however, provided that all definitions contained herein shall be defined and construed in compliance with the provisions of Title 47, Section 1-101 et seq. of the Oklahoma Statutes. (ORD. NO. 401)

### Article 2. Administration

#### Sec. 24-2. Police administration.

There is hereby established an administrative department entitled the police department. The police department shall consist of the Chief of Police and such number of patrolmen as may be provided for.

#### Sec. 24-3. Driver's files to be maintained.

The police department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

#### Sec. 24-4. Emergency and experimental regulations.

(a) The City Manager, subject to any directions which the City Commission may give by motion or resolution, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the City of Yale, and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulations shall remain in effect for more than ninety (90) days.

(b) The City Manager may have traffic-control devices tested under actual conditions of traffic.

#### Sec. 24-5. Duties of City Manager.

(a) The City Manager shall have the authority:

(1) To designate and, maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in its opinion there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary;

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(2) To establish safety zones or islands of such kind and character and at such places as it may deem necessary for the protection of pedestrians;

(3) To mark traffic lanes upon the roadway of any street where a regular alignment of traffic is necessary;



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(4) To establish bus stops, bus stands, taxicab stands, and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as it shall determine to be of the greatest benefits and convenience to the public; and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs;

(5) To designate bicycle parking zones;

(6) To determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one (1) or more entrances to any such intersection, in which event it shall cause to be erected a stop sign at every such place where a stop is required; or whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required;

(7) To have placed markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections; such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance;

(8) To determine those intersections at which drivers of vehicles shall not make a right, left, or "U" turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted;

(9) To prescribe routes through the city for the use of trucks or other vehicles which are not ordinary private passenger vehicles;

(10) To determine the location of passenger and freight curb loading zones, and shall have placed and maintained appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. The City of Yale may change or discontinue such zones. When such a loading zone is established on request of any person, the City of Yale shall not have signs placed until the applicant has paid to the city an amount of money estimated by the City Manager to be adequate to reimburse the city for all costs of establishing and signing the same;

(11) To determine when standing or parking may be permitted upon a one-way roadway;

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(12) To establish parking time limits, or to prohibit parking, on designated streets and parts of streets, by having appropriate signs placed thereon;

(13) To issue special permits to permit the use of streets for loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The traffic control authority may revoke such permits at any time;

(14) To designate metered parking zones;

(15) To determine those portions of a highway where overtaking and passing or driving to the left of the roadway would be especially hazardous, and order the placement of appropriate signs or markings on the roadway marking the beginning and end of such zones;

(16) To determine upon what streets and parts of streets angle parking shall be permitted and shall have such streets marked or signed;

(17) To take any other action necessary and proper to ensure the safe and efficient flow of traffic throughout the corporate limits of the City of Yale.

(b) Decisions of the City Manager under this section may be appealed to the board of commissioners upon written application of an aggrieved party. Said application shall be made within ten (10) days of the date of the action to be appealed. The board of commissioners shall direct written notice of the appeal hearing to the applicant. Said notice shall be given at least seventy-two (72) hours prior to scheduled hearing date. Decisions of the board of commissioners shall be appealable to the Payne County District Court in accordance with State Statute and the Yale City Code.

### Sec. 24-6. Driver's files to be maintained.

(a) The police department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(b) The department shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accidents, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent same or to have the licenses of such persons suspended or

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revoked.

### Sec. 24 -7. Duty of police department and fire department.

(a) It shall be the duty of the police department to enforce the traffic regulations of this city and all of the state vehicle laws applicable to street traffic in the City of Yale, to make arrests for traffic violations, to investigate accidents, and to cooperate with other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said department by this chapter and any other traffic ordinances of the City of Yale, Oklahoma.

(b) Officers of the police department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws and ordinances; provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as condition may require notwithstanding the provisions, of the traffic laws and ordinances.

(c) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic there at or in the immediate vicinity.

### Sec. 24-8. Required obedience to traffic ordinances, police department and fire department.

(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter.

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

### Sec. 24-9. Emergency and experimental regulations.

(a) The City Manager, subject to any directions which the City Commission may give by motion or resolution, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the City of Yale, and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulations shall remain in effect for more than ninety (90) days.

(b) The City Manager may have traffic-control devices tested under actual conditions of traffic.

### Sec. 24-10. Persons propelling push carts, riding animals or driving animal-drawn vehicles to obey traffic regulations.

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

### Sec. 24-11. Coasters, Roller Skates, Skate Boards and Similar Devices Prohibited.

(a) No person upon roller skates, or riding in or by means of a coaster, toy vehicle, go cart, golf cart or similar device, shall go upon any roadway except while crossing a street on a cross walk; and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of the City of Yale.

(b) No person shall ride any skate board or similar device and go upon any roadway; public thoroughfare or traffic way within the City of Yale.

(c) No person riding upon any skate board or similar vehicle shall attach the same or himself to any vehicle upon a roadway.

(d) No person shall ride any skate board or similar device upon a sidewalk within a business district within the City of Yale.

### Sec. 24-12. Public officers and employees to obey traffic regulations.

The provisions of the chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, any state, county, city, or other governmental unit or agency, as well as to other vehicles; of this chapter, except as otherwise permitted in this chapter or by state statute; provided that this chapter shall not apply to the military forces of the United States and organizations of the National Guard when performing any military duty.

### Sec. 24-13 Application of chapter to military convoys.

The military forces of the United States and organizations of the National Guard, performing any military duty, shall not be restricted by this chapter, and shall have the right-of-way on any street or highway through which they may pass against all, except carriers of the United States mail, fire engines, ambulances and police vehicles in the necessary discharge of their respective duties. Said mounted military moving in convoy shall have lights burning, with lead and trail vehicles prominently marked, and shall travel, while inside the corporate limits of the city, in compliance with such speeds as are legally posted within the corporate limits of the

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city, and shall maintain a closed interval of not more than seventy-five (75) feet.

### Sec. 24-14 Person working on streets; exceptions.

Unless specifically made applicable, the provisions of this chapter except those relating to reckless driving and driving while intoxicated, shall not apply to persons, motor vehicles, and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles, and other equipment while actually engaged in construction, maintenance, or repair of public utilities; provided that all highway and public utility operations shall be protected by adequate warning signs, signals, devices, or flagmen; but the provisions of this chapter shall apply to such persons and vehicles when traveling to or from such work.

### Sec. 24-15 Maintenance and construction zones.

(a) The City of Yale is hereby authorized to close any highway, street, avenue, public thoroughfare or section thereof within its respective jurisdiction, to traffic while such highway, street, avenue or public thoroughfare is under repair, maintenance or construction and, in exercising such authority, shall erect, or cause to be erected, control devices and barricades to warn and notify the public that said highway, street, avenue or public thoroughfare has been closed to traffic. It shall hereby be the duty of the traffic-control supervisor, or his designee, to determine when such construction, maintenance or repair shall necessitate the closing of any highway, street, avenue, or public thoroughfare within the jurisdiction of the city.

(b) When any highway, street, avenue or other public thoroughfare has been closed to traffic under the provisions of subsection (a) and traffic-control devices or barricades have been erected, it shall be unlawful for any person to drive any vehicle through, under, over or around such traffic-control devices or barricades, or otherwise to enter any closed area.

(c) The provisions of subsection (a) shall not apply to persons while engaged in the construction, maintenance and repair of said highway, street, avenue or public thoroughfare or to persons entering therein for the protection of lives or property; and provided further, that persons having their places of residence or places of business, or who must travel said highways, streets, avenues, and public thoroughfares to reach their places of residence or places of business, may then travel, when possible to do so, through such area at their own risk.

(d) Whenever construction, repair and maintenance of any highway, street, avenue, or public thoroughfare is being performed under traffic, the city shall erect, or cause to be erected,

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traffic-control devices to warn and guide the public and every person using such highway, street, avenue or public thoroughfare shall obey all signs, signals, markings, flagmen or other traffic-control devices which are placed to regulate, control and guide traffic through the construction or maintenance area.

(e) No person shall remove, change, modify, deface or alter any traffic control device or barricade which has been erected on any highway, street, avenue, or public thoroughfare so that such device or barricade shall be made to be unsafe and/or hazardous.

(f) City personnel or contractors, whichever is engaged in repair or improvement of any highway, street, avenue or public thoroughfare within the city, shall establish, provide for, and adequately design a detour route for traffic; provided, however, that this subsection shall only apply when said highway, street, avenue or public thoroughfare shall be closed for a period in excess of seventy-two (72) hours.

### Sec. 24-16. Authorized emergency vehicles.

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

(b) The driver of an authorized emergency vehicle may-

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

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

(d) The foregoing provisions shall not relieve the driver of an authorized emergency

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vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

### Sec. 24-17. Operation of vehicles on approach of authorized emergency vehicles.

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

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

### Sec. 24-18. Obedience to police and fire department officials.

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

### Sec. 24-19. Driver's license required.

(a) No person, except those expressly exempted by Title 47, Section 6-102 of the Oklahoma Statutes, shall drive any motor vehicle upon any street, alley, roadway or highway within the city unless such person has a valid color photo Oklahoma license as an operator, commercial chauffeur, or chauffeur under the provisions of state law. This section shall be intended to conform and be interpreted consistent with the provisions of Title 47, Section 6-101 of the Oklahoma Statutes. It is also further declared to be the express intention of the city commission that this section be interpreted and defined in compliance with the provisions of Title 47, Sections 6-101 through 6-124 of the Oklahoma Statutes, as amended. No person shall operate a motor vehicle as a chauffeur unless he holds a valid chauffeur's license. No person shall operate a motor vehicle as a common carrier of persons or property unless he holds a valid commercial chauffeur's license.

(b) Any person who drives a motor vehicle on any public roads, streets, highways, turnpikes or other public place of this state at a time when his privilege to do so is



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canceled, denied, suspended or revoked shall be guilty of a misdemeanor. Each act of driving on the highways as prohibited shall constitute a separate offense.

### Sec. 24-20. Accidents.

(a) The driver of a vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until such driver has fulfilled the requirements of Title 47, Section 10-104 of the Oklahoma Statutes. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor and upon conviction thereof shall be punished pursuant to the provisions of this Chapter. Nothing in this section shall prevent the Municipal Judge from ordering restitution for any damage caused by a driver involved in an accident provided for in this section.

(b) The driver of any vehicle involved in an accident resulting in injury to or death of any person, or damage to any vehicle which is driven or attended by any person shall give his or her correct name, address; and registration number of the vehicle he or she is driving, and shall, upon request, and if available, exhibit his or her operator's or chauffeur's license to the person struck or the driver, or any person attending any vehicle collided with, and shall render to any person injured in such accident any reasonable assistance, including the carrying or the making of arrangements for the carrying, of such person to a physician or hospital for medical treatment, if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person pursuant to the provisions of Title 47, Section 10-103, 10-104, and 10-105 of the Oklahoma State Statutes.

### Sec. 24-21. Duty upon striking unattended vehicle.

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the correct name and address of the driver and owner of the vehicle striking the unattended vehicle, and provide said operator or owner with information from his or her security verification form, as defined by Title 47, Section 7-600 of the Oklahoma State Statutes, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of

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the driver and of the owner of the vehicle doing the striking, and providing information from his or her security verification form and a statement of the circumstances thereof, all as required by Title 47, Section 10-105 of the Oklahoma State Statutes.

### Sec. 24-22. Impoundment of vehicles.

(a) The police department is hereby authorized to impound a vehicle and remove same to a garage or other place of safety under any of the circumstances hereinafter enumerated:

- (1) When a vehicle is left unattended upon any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.
- (2) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury or otherwise incapacitated to such an extent as to be unable to provide for its custody or removal.
- (3) When a vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard to obstruction to the normal movement of traffic.
- (4) When a vehicle has been parked for more than one hour in excess of the time allowed for parking in any place.
- (5) When a vehicle which has been involved in two (2) or more violations of this chapter for which citation tags have been issued and not presented as required, is parked in violation of any provision of this chapter.
- (6) When, pursuant to Section 24-151 a duly signed verified complaint has been filed alleging a violation of Section 24-150(a), by reason of the stopping, standing or parking of a vehicle in the places designed as (3) and (4) herein.
- (7) When any vehicle is driven or operated upon any street, alley or thoroughfare within the city, and when said vehicle is without a vehicle license as required by the state law, and section 24-30 of this Code, or when said vehicle fails to display the vehicle license tag as required by law.
- (8) When the driver or person in charge of any vehicle is placed under arrest and taken into custody and detained by police under circumstances which leaves or will leave a vehicle unattended on any street or highway, the

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vehicle may be impounded.

- (9) When a vehicle is parked on west side of Main Street, in the area marked for police employee parking only and it is not displaying a parking permit authorizing it to be parked in that location.

(b) Whenever an officer removes a vehicle as authorized in this section, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore, and of the place to which such vehicle has been moved. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage. It is especially provided that the owner of such vehicle shall be liable for the cost of removal and storage of said vehicle.

(c) Whenever an officer removes a vehicle under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

### Sec. 24-23. Security verification form.

(a) Every operator of a motor vehicle registered in the state shall, while operating or using such vehicle, carry either an operator's or owner's security verification form issued by a carrier, providing the operator is not excluded from coverage thereon; or an equivalent form issued by the Oklahoma Department of Public Safety, reflecting liability coverage. Such security verification form shall be produced upon request for inspection by any police officer; and, in case of a collision, the form shall be shown upon request to any person affected by the collision.

(b) The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the Oklahoma Department of Public Safety during operation of the vehicle:

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

(c) As used in this section, the term "security verification form" means a form, approved by the state board for property and casualty rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma.

(d) Any person producing proof that a current security verification form or equivalent form which has been issued by the Oklahoma Department of Public Safety reflecting liability coverage was in force for such person at the time of the alleged offense shall be entitled to dismissal of such charge upon payment of court costs; however, if proof of security verification is presented to the court within forty-eight (48) hours after the violation, the charge shall be dismissed without payment of court costs.

(e) Upon conviction, bond forfeiture or deferral of sentence, the municipal court clerk shall forward an abstract to the Oklahoma Department of Public Safety within ten (10) days, which abstract shall reflect the action taken by the municipal court.

### Article 3. Equipment; Certain Vehicles Prohibited, etc.

#### Sec. 24-24. Vehicles incurious to streets, obstructive vehicles and riding of animals.

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

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

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permit.

### Sec. 24-25. Equipment required.

(a) Every vehicle operated upon the streets of the City of Yale shall be equipped as required by law and it shall be unlawful to drive or operate a vehicle upon a street, alleyway or road within the City of Yale that is not equipped as required by the Statutes of the State of Oklahoma. It shall also be unlawful to fail to use such equipment in the manner required by the Statutes of the State of Oklahoma, to use such equipment in a manner prohibited by said Statutes, or to operate and drive any vehicle upon the streets, alleyways or roads of the City of Yale which has equipment that is prohibited by the Oklahoma State Statutes.

(b) It shall be deemed a violation of this section for the owner of any vehicle to permit such vehicle to be driven or operated upon the streets, alleyways or roads of the City of Yale when said vehicle is equipped in violation of the provisions of this section.

### Sec. 24-26. Operators and front seat passengers to wear safety belts.

Every operator and front seat passenger of a passenger car operated in this City of Yale shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 CFR 571.208. For the purposes of this section, the term "passenger car" shall mean "vehicle" as defined in Title 47, Section 1102 of the Oklahoma State Statutes. The term "passenger car" includes the passenger compartment of pickups, vans, minivans and sport utility vehicles. The term "passenger car" shall include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles. The term "passenger car" does not include a vehicle primarily used for farm use which is registered and licensed pursuant to the provisions of Title 47, Section 1134 of the Oklahoma State Statutes.

(b) This section shall not apply to the following:

(1) The operator of a motor vehicle while performing official duties as a route carrier of the United States Postal Service.

(2) The operator of a motor vehicle whose driver's license bears a "medical reasons" exemption from the Oklahoma Commissioner of Public Safety.

(c) The fine and court costs for violation of these provisions of this section shall not exceed Twenty Dollars (\$20.00).

### Sec. 24-27. Child Passenger Restraint System.

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(a) Every driver, when transporting a child under eight (8) years of age in a motor vehicle operated on the roadways, streets, or highways of the City of Yale, shall provide for protection of said child by properly using a child passenger restraint system as follows:

(1) A child under four (4) years of age shall be properly secured in a child passenger restraint system. The child passenger restraint system shall be rear-facing until the child reaches two (2) years of age or until the child reaches the weight or height limit of the rear-facing child passenger restraint system as allowed by the manufacturer of the child passenger restraint system, whichever occurs first.

(2) A child at least four (4) years of age but younger than eight (8) years of age, if not taller than 4 feet 9 inches in height, shall be properly secured in either a child passenger restraint system or child booster seat. For purposes of this section "child passenger restraint system" means an infant or child passenger restraint system which meets federal standards as set forth in C.F.R, Section 571.213.

(b) If a child is eight (8) years of age or is taller than 4 feet 9 inches in height, a seat belt properly secured to the vehicle shall be sufficient to meet the requirements of this section.

(c) The provisions of this section shall not apply to the following:

(1) The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to state or federal law.

(2) The driver of an ambulance or emergency vehicle.

(3) The driver of a vehicle in which all of the seat belts are in use.

(4) The transportation of children who for medical reasons are unable to be placed in such devices, provided there is written documentation from a physician of such medical reason.

(5) The transportation of a child who weighs more than forty (40) pounds and who is being transported in the back seat of a vehicle while wearing only a lap safety belt when the back seat of the vehicle is not equipped with combination lap and shoulder safety belts, or when the combination lap and shoulder safety belts in the back seat are being used by other children who weigh more than forty (40) pounds. Provided, however, for purposes of this section, back seat shall include all seats located behind the front seat of a vehicle operated by a licensed child care facility or church. Provided further, there shall be a rebuttable presumption that a child has met the weigh requirements of this section if at the request of any law

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enforcement officer, the licensed child care facility or church provides the officer with a written statement verified by the parent or legal guardian that the child weighs more than forty (40) pounds.

(d) A law enforcement officer is hereby authorized to stop any vehicle if it appears that the driver of the vehicle has violated the provisions of this section to give an oral warning to said driver.

(e) Any person convicted of a violation of this section shall be punished by a fine of not more than Fifty Dollars (\$50.00) and shall pay all court costs thereof. The fine shall be suspended and the court costs limited to a maximum of Fifteen Dollars (\$15.00) in the case of a first offense upon proof of purchase or acquisition of a proper child passenger restraint system.

### Sec. 24-28. Muffler, cut-outs, compression brakes.

(a) Every motor vehicle shall be equipped, maintained, and operated so as to prevent excessive or unusual noise. Every motor vehicle shall at all times be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation, and no person shall use a muffler cut-out, bypass or similar device. No person shall modify the exhaust system of a motor vehicle in any manner which will amplify or increase the noise or sound emitted louder than that emitted by the muffler originally installed on the vehicle.

(b) For the purpose of this section, the term "motor vehicle" means any motorized vehicle which is self-propelled, including but not limited to a mini-bike, go-cart, motorcycle, all-terrain vehicle, automobile, truck, bus, tractor or heavy equipment.

(c) An Engine Compression Brake device (commonly referred to as Jake Brakes, Jacobs Brake, Engine Brake, Compression Brake, or Dynamic Compression Brake) means a device primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of reducing vehicle speed without the use of wheel brakes.

(d) No person shall use or operate any vehicle within the city limits of the City of Yale with an engine compression braking device engaged or activated. Provided that such prohibition shall not apply if an emergency situation exists and the use of engine compression brakes is necessary for the protection of persons or property. Failure to timely apply wheel braking devices shall not be construed as the creation of an emergency situation.

### Sec. 24-29. Width, height, length, weight and load.

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

### Sec. 24-30. Inspection of vehicles, license plates required.

(a) Police officers shall have the authority to inspect and test any vehicle upon the streets of the city at any time to determine whether it is safe, whether it is properly equipped, and/or whether its equipment is in proper adjustment and repair.

(b) It is unlawful for any person to drive or move on any road, street or highway in this city any motor vehicle, including motorcycles, trailers, semi-trailers or pole trailers, which are licensed by the Oklahoma Tax Commission, or any combination thereof, unless said vehicle is bearing a valid official inspection station license by the Department of Public Safety of the State of Oklahoma; provided, however, the provisions of this section shall not apply to any house trailer which requires a permit to be moved upon the highways of this state.

(c) It shall be unlawful for any person to drive, operate or move, or for the owner to cause or permit to be driven, operated or moved upon the roads, streets or highways of the City of Yale any vehicle which does not have current and proper license plates as issued by the State of Oklahoma or on which all taxes due said State of Oklahoma have not been paid.

### Article 4. Traffic Control Devices

#### Sec. 24-31. Authority to install traffic-control devices.

The City of Yale, shall have placed and maintained traffic-control signs, signals, and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may have placed and maintained such additional traffic-control signs, signals, and devices as it may deem necessary to regulate traffic under the traffic ordinances of the city or under state law or to guide or warn traffic.

#### Sec. 24-32. Erection and maintenance.

(a) The street department shall erect or install and maintain all traffic-control signs, signals, devices and markings; including, but not limited to, parking meters, required by ordinance or the City Manager.

(b) The City Manager may have placed and maintained such additional traffic-control



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signs, signals, and devices as it deems necessary to guide or warn traffic.

(c) Whenever the City Commission designates and describes a through street, the engineering division shall erect, have placed and maintained a stop sign, or if deemed more appropriate by the City Manager at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two (2) such through streets or at the intersection of a through street and a heavy-traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the City Manager if deemed desirable.

(d) Whenever a one-way street is designated pursuant to ordinance, the street department shall place and maintain signs giving notice thereof; and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

### Sec. 24-33. Manual and specifications for traffic-control devices.

All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the state highway department. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.

### Sec. 24-34. Obedience to official traffic-control devices.

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

### Sec. 24-35. When traffic signs required for enforcement purposes.

No provisions of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violations 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

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though no signs are erected or in place.

### Sec. 24-36. Traffic-control signal legend.

Whenever traffic is controlled by traffic-control signals exhibiting the words "GO", "CAUTION", or "STOP", or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used, and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

- (1) Green alone or "GO":
  - (a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign or barricade at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
  - (b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
- (2) Steady yellow alone:
  - (a) Vehicular traffic facing the signal is thereby warned that the red or "STOP" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "STOP" signal is exhibited.
  - (b) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles.
- (3) Steady red alone, or "STOP":
  - (a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until green or "GO" is shown alone, or while the signal is still red, vehicular traffic may turn right from the appropriate lane after coming to the required stop, unless otherwise provided. Such vehicular traffic shall yield the

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right of way to pedestrians lawfully using the intersection.

- (b) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with vehicular traffic.
- (4) Steady red with green arrow:
- (a) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians lawfully within a crosswalk, and to other traffic lawfully using the intersection.
  - (b) Traffic, except pedestrians, facing a green arrow, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicate by such arrow, or such other movement as is permitted by other indications shown at the time, and any such movement shall only be made from the lane that has lawfully been designated for such turning movement and which shall be available for such turn.
  - (c) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with vehicular traffic.
- (5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made; but, in the absence of any such sign or marking, the stop shall be made at the signal.

### Sec. 24-37. Flashing 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 rapid intermittent flashing, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked or, if none, then before entering the intersection; and the right to proceed shall be

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subject to the rules applicable after making a stop at a stop sign.

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

(b) This section shall not apply at railroad grade crossings.

### Sec. 24-38. Display of unauthorized signs, signals or markings.

(a) No person shall place, maintain, or display upon or in view of any highway an unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which projects any flashing or revolving beams of light, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(b) No person shall place, maintain or display upon any street, highway, right-of-way or easement, any sign, signal, marking or device bearing thereon advertising of any kind; however, this section shall not be construed to prohibit projecting signs constructed in accordance with the International Building Code, 2003 Edition.

(c) Every such placed sign, signal, marking or device is hereby declared to be a public nuisance. Any person responsible for the placement or maintenance of any such sign, signal, marking or device shall have forty-eight (48) hours after a reasonable attempt of demand has been made by the City Manager or his duly authorized representative to remove the same or cause it to be removed. In the event that removal is not accomplished within said period of time, the City Manager or his duly authorized representative is hereby authorized and empowered to remove the same or cause it to be removed.

### Sec. 24-39. Stop signs and yield signs.

(a) Every stop sign shall bear the word "STOP" in letters not less than eight (8) inches in height. Every yield sign shall bear the word "YIELD". Every stop sign and every yield sign shall at nighttime be rendered luminous by internal illumination, or by a flood light projected on the face of the sign, or by efficient reflecting elements in the face of the sign.

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

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as near as practicable to the nearest line of the intersecting roadway; however, such yield signs shall not be erected upon the approaches of but one of the intersecting streets.

### Sec. 24-40. Interface with official traffic-control devices or railroad signs or signals.

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

### Sec. 24-41. Interface with official traffic-control devices or railroads signs or signals.

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

### Sec. 24-42. City of Yale to designate crosswalks and establish safety zones.

The City of Yale is hereby authorized to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in its opinion there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary for the protection of pedestrians.

### Sec. 24-43. Traffic lanes.

(a) The Board of Commissioners, by motion or resolution, is hereby authorized to have traffic lanes marked upon the roadway of any street 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 lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement or otherwise as authorized by ordinance.

### Sec. 24-44. Obedience to no-turn signs.

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

### Sec. 24-45. When traffic signs required for enforcement purposes.

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violations an official sign is not in proper

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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.

### Sec. 24-46. Driving into drive-in or gas station to avoid traffic signal.

No person shall drive a motor vehicle onto the premises, driveway or parking area of any drive-in restaurant, motel, gasoline-filling station or commercial establishment for the purposes of avoiding or by-passing any traffic-control device or signal.

### Sec. 24-47. Weight limits.

(a) Whenever authorized, weight limit signage is posted upon a street, no driver of a vehicle in excess of the posted limit shall operate said vehicle upon that roadway. In the case where the destination for a vehicle is on a street that is posted to prohibit vehicles in excess of that vehicle's weight, said vehicle shall be allowed to operate upon such streets only by using the most direct route to its destination from streets that can be traveled without violating weight limits.

(b) In no case shall a vehicle that is in excess of maximum load limits allowed by state statute be operated on any street.

## Article 5. Violations

### Sec. 24-48. Compromising penalties.

Persons who are cited for violations of a traffic regulatory ordinance of this city, with such exceptions as the judge may by rule prescribe, may elect to pay a fine to the clerk of the municipal court according to a schedule of fines to be prescribed by the municipal judge. Payment of a fine under this section shall constitute a final determination of the cause against the defendant. If a defendant who has elected to pay a fine under this section fails to do so, prosecution shall proceed under the provisions of this chapter.

### Sec. 24-49. Special provisions for unlawful stopping, standing, or parking in or upon private driveways and private property.

(a) In all instances where there occurs a violation of sections 24-149, subsection (b), by reason of the stopping, standing or parking of a vehicle in the places designated as (3) and (4) therein, the owner, lessee or person in charge of the private driveway or property in or upon

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which the violation occurs shall sign a complaint against the person stopping, standing or parking such vehicle, or if the identity of said person be unknown, then said complaint may be filed against the registered owner of said vehicle, in which case the evidentiary presumption set forth in section 24-181 of this Code shall apply.

(b) Said complaint so filed shall be verified and shall allege that the complaining party is the owner, lessee or person in charge of the private driveway or property in or upon which such stopping, standing or parking of said vehicle occurred.

(c) In any prosecution based upon a properly verified complaint, as set forth in subsection (a) above, the person alleged to have violated the provisions of section 24-150, subsection (a), by reason of the stopping, standing or parking of a vehicle in the places designated as (3) and (4) therein, shall have the burden of showing that permission therefor was given by the owner, lessee, or person in charge of the private driveway or property in or upon which the violation is alleged to have occurred.

### Sec. 24-50. Liability of parents and vehicle owners.

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

(b) It is unlawful for any person to authorize or knowingly to permit any vehicle registered in his or its name to be driven or to stand or to be parked in violation of any provision of this chapter.

## Article 6. Driving on Right Side of Road

### Sec. 24-51. Drive on right side of roadway; exceptions.

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

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

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

### Sec. 24-52. Passing vehicles proceeding in opposite directions.

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

### Sec. 24-53. Overtaking a vehicle on the left.

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

- (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
- (3) Every driver who intends to pass another vehicle proceeding in the same direction, which requires moving his vehicle from one lane of traffic to another, shall first see that such movement can be made with safety and shall proceed to pass only after giving a proper signal by hand or mechanical device.

### Sec. 24-54. When overtaking on the right is permitted.

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

- (1) When a vehicle overtaken is making or about to make left hand turn.



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

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

### Sec. 24-55. Further limitations on driving to left of center of roadway.

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

(1) When approaching the crest of a grade or up on a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(2) When approaching within 100 feet of or traversing any intersection or railroad grade crossing.

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

(b) The foregoing limitations shall not apply upon a one-way roadway.

### Sec. 24-56. No-passing zones.

(a) The Oklahoma Department of Highways as regards state and federal highways, and the City of Yale as regards all other streets, are hereby authorized to determine those portions of a highway where overtaking and passing or driving to the left of the roadway would be especially hazardous, and may by appropriate signs or markings on the roadway have the beginning and end of such zones indicated; and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

(b) Where signs or markings are in place to define a no-passing zone as set forth in paragraph (a), no driver shall at any time drive to the left side of the roadway within such no-passing zone or on the left side of pavement striping designed to mark such no-passing zone throughout its length.

### Sec. 24-57. Driving on roadways laned for traffic.

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

- (1) A vehicle shall be driven as nearly as practicable entirely within a single lane, and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (2) Upon a roadway which is divided into three (3) lanes or more, it shall be a violation for any vehicle to be driven in any center lane, or in any lane marked and designated exclusively as a turn lane except when in direct preparation for a turn from the said traffic lane.

### Sec. 24-58. Following too closely.

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

(b) The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residential district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or another vehicle.

(c) No vehicle which has more than six (6) tires in contact with the road shall approach from the rear of another vehicle which has more than six (6) tires in contact with the road closer than three hundred (300) feet except when passing such said vehicle.

(d) Motor vehicles being driven upon any roadway outside of a business or residential district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. The distance between such vehicles shall be a minimum of two hundred (200) feet under all conditions. This provision shall not apply to funeral processions.

### Article 7. Speed Regulations

#### Sec. 24-59. Basic rule and maximum limits.

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

(b) Except when a special hazard exists that requires lower speed or compliance with paragraph (a) of this section, the limits specified in this chapter or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway, street, avenue or public thoroughfare at a speed in excess of such maximum limits, as follows:

- (1) Fifteen (15) miles per hour on any street adjacent to any school and during any time that said school is in session, unless otherwise posted.
- (2) Twenty-five (25) miles per hour on other streets and on streets adjacent to schools at other times than that specified immediately above; provided that the City of Yale may reduce or increase the speed limit, and when it does so, appropriate signs shall be placed on all such streets or parts of streets indicating the lower or higher speed limit.

### Article 8. Reckless Driving; Inattentive Driving; Driver's License

#### Sec. 24-60. Reckless Driving.

Any person who drives any vehicle upon highways, turnpikes and public parking lots throughout the City of Yale in a careless or wanton manner without regard for the safety of persons or property is guilty of reckless driving, and upon conviction thereof shall be punished as provided in this chapter.

#### Sec. 24-61. Inattentive driving.

(a) Any person who drives any vehicle or who engages in any activity or does any act while driving that interferes with the safe operation and control of his vehicle, or who continues to operate his vehicle when any other person riding therein or thereon engages in any activity or does any act which interferes with his operation thereof is guilty of inattentive driving.

(b) Any person who drives any vehicle in a manner without due and proper regard for the safety of person or property of others is guilty of inattentive driving under the provisions of this article.

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(c) Any driver of a motor vehicle which collides with another vehicle or with any person or property because of driving error or inattention is guilty of inattentive driving in violation of this section.

(d) Any driver of a motor vehicle who attempts to elude a police officer or any other lawful official is guilty of inattentive driving under the provisions this article.

### Sec. 24-62. Unattended Vehicles.

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

### Sec. 24-63. Driver's license required.

(a) No person except those expressly exempted by Title 47, Section 6-102 of the Oklahoma State Statutes, shall drive any motor vehicle upon any street, alley, roadway or highway within the City of Yale, Oklahoma, unless such person has valid color photo Oklahoma license as an operator, commercial chauffeur, or chauffeur under the provisions of the Oklahoma State Statutes. Provided further that this section shall be intended to conform and be interpreted consistent with the provisions of Title 47, Section 6-101 of the Oklahoma State Statutes. It is also further declared to be the express intention of the Yale Board of Commissioners that this section be interpreted and defined in compliance with the provisions of Title 47, Section 6-101 through Section 6-124 of the Oklahoma State Statutes.

(1) No person shall operate a motor vehicle as a chauffeur unless he or she holds a valid chauffeur's license.

(2) No person shall operate a motor vehicle as a common carrier of persons or property unless he holds valid commercial chauffeur's license.

(b) It shall be unlawful for any person to display or cause or permit to be displayed, or have in his possession any canceled, revoked, suspended, fictitious, photostatic or fraudulently altered operator's or chauffeur's license.

(c) It shall be unlawful for any person to lend his operator's or chauffeur's license to any other person or knowingly permit the use thereof by another.

(d) It shall be unlawful for any person to display or represent as one's own any operator's or chauffeur's license not issued to him.

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(e) No person shall operate a motor vehicle at a time that his or her valid license has been suspended by the State of Oklahoma.

### Article 9. Signals on Turning and Stopping, Turning Movements

#### Sec. 24-64. Required position and method of turning at intersection.

The driver shall do as follows:

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

#### Sec. 24-65. Authority to place restricted turn signs.

The Board of Commissioners by motion or resolution, is hereby authorized to determine those intersections at which drivers of vehicle shall not make a right, left, or U turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours; in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.

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### Sec. 24-66. Obedience to no-turn signs.

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

### Sec. 24-67. Limitations on turning around.

(a) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the city except at an intersection; and furthermore, it is unlawful for the driver of a vehicle to make such a turn at any intersection:

- (1) Where traffic control signals are installed;
- (2) Where a police officer is directing traffic except at the officer's direction; or
- (3) Where an official no U-turn sign has been placed and is maintained.

(b) When otherwise permitted, a U-turn may be made only when it can be made in safety and without interfering with other traffic.

(c) The driver of any vehicle shall not turn that vehicle so as to proceed in the opposite or different direction upon the street when such turn is made for the purpose of parking said vehicle in a lawfully marked parking space on the opposite side of the street.

### Sec. 24-68. Turning movements and required signals.

(a) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by this chapter, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

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

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

### Sec. 24-69. Signals by hand or arm or signal lamps.

(a) Any stop or turn signal when required herein shall be given either by means of the hand or arm or by signal lamps, except as otherwise provided in paragraph (b).

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

### Sec. 24-70. Method of giving hand and arm signals.

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

- (1) Left turn hand and arm extended horizontally.
- (2) Right turn hand and arm extended upward.
- (3) Stop or decrease speed hand and arm extended downward.

### Sec. 24-71. One-way streets and alleys.

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

## Article 10. Right of Way, Stop and Yield Intersections; Railroad Crossings, etc.

### Sec. 24-72. Vehicle approaching or entering intersection.

(a) The driver of a vehicle within an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway; provided that the driver of a vehicle on a street which is not a state or federal highway shall stop and yield the right of way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard.

(b) When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(c) The right of way rules declared in paragraphs (a) and (b) are modified at through highways and otherwise as stated in this chapter.

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### Sec. 24-73. Vehicle turning left at intersection.

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

### Sec. 24-74. Stop signs and yield signs.

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

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

### Sec. 24-75. Vehicle entering stop intersection.

(a) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign, shall stop before entering the crosswalk on the near side of the intersection, or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but, if none, then at the point nearest the intersecting roadway before entering the intersection.

(b) Such driver, after having stopped, shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching too closely on said highway as to constitute an immediate hazard; but said driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding.

### Sec. 24-76. Vehicle entering yield intersection.

(a) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall



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yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. Said driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

(b) The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

### Sec. 24-77. Vehicle entering yield intersection.

The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

### Sec. 24-78. Two or more vehicle facing stop, slow, warning, or, caution signal.

Where two or more vehicles face stop, slow, warning, or caution signs or signals on two or more intersecting cross streets, and are approaching so as to enter the intersection at the same time, where each vehicle is required to stop, the vehicles coming from the right shall have the right-of-way. Where each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. Where each vehicle is required to take caution the vehicle coming from the right shall have the right-of-way. Where one vehicle is required to stop and the other to slow or take caution, the one slowing or taking caution shall have the right-of-way. Where one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way. In any event, a vehicle which has already entered the intersection shall have the right-of-way over one which has not so entered the intersection.

### Sec. 24-79. Vehicle emerging from alley, driveway, or parking lot.

(a) The driver of any vehicle emerging from an alley, public or private driveway or parking lot shall stop such vehicle immediately prior to driving onto a sidewalk that extends

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across such alleyway, driveway or parking lot exit way and shall ascertain the approach of any pedestrians before proceeding across such sidewalk area, the driver being required to yield the right-of-way to any such pedestrian

(b) The driver of a vehicle about to enter or cross a highway or road from a private road or driveway that does not have a sidewalk area shall yield the right-of-way to all vehicles approaching on said road.

### Sec. 24-80. Stop when traffic obstructed.

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

### Sec. 24-81. Vehicle turning left at intersection.

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

### Sec. 24-82. Operation within traffic lanes.

Where traffic lanes have been marked by the traffic authority board as authorized in this chapter, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement or otherwise authorized by ordinance.

### Sec. 24-83. Certain vehicles to stop at all railroad grade crossings.

(a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, except as hereinafter

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provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing, and the driver shall not shift gears while crossing the track or tracks.

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

### Sec. 24-84. Operation of vehicles on approach of authorized emergency vehicles.

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

(b) This section shall not be construed to require a peace officer operating a police vehicle properly and lawfully in response to a crime in progress to use audible signals nor shall this section operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all No driver of any motor vehicle, or any other moving object, shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter.

### Sec. 24-85. Stop when traffic obstructed.

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

## Article 11. Miscellaneous Provisions

### Sec. 24-86. Following fire apparatus prohibited.

(a) The driver of any vehicle other than one on official business shall not follow any

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fire apparatus traveling in response to a fire alarm closer than five-hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(b) The driver of any vehicle other than one on official business shall not follow any emergency vehicle or shall not purposely drive to any location on a highway where an emergency exists which would interfere with the free movement of authorized emergency vehicles or any other traffic using the highway at that location. For the purpose of this article the definition of any emergency shall include traffic accidents, airplane accidents, disaster, explosions, civil disturbances and (without limitation by the foregoing) any other related circumstances which tend to cause traffic congestion.

### Sec. 24-87. Crossing fire hoses.

No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street or private driveway to be used at any fire, without consent of the fire department official in command.

### Sec. 24-88. Driving through funeral or other processions.

No driver of any motor vehicle, or any other moving object, shall drive between the vehicles comprising a funeral or other authorized processions while they are in motion and when such vehicles are conspicuously designated as required in this chapter.

### Sec. 24-89. Funeral Processions.

(a) A funeral procession composed of any number of vehicles shall be identified as such by display upon the outside of each vehicle in the procession by a pennant or other identifying insignia or by such other external method as might identify the vehicle as being part of a funeral procession.,

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

### Sec. 24-90. Use of multiple beam lighting equipment on roadways.

Whenever a motor vehicle is being operated on a roadway, or shoulder adjacent thereto, during those times as specified in Title 47, Section 12-201 of the Oklahoma Statutes, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient

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intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

(1) Whenever a driver of a vehicle approaches an oncoming vehicle within One Thousand (1,000) 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 Title 47, Section 12-203 (C) (2) shall be deemed to avoid glare at all times, regardless of road contour and loading.

(2) Whenever the driver of a vehicle follows another vehicle within Six Hundred (600) feet to the rear, such driver shall use a distribution of light permissible under Title 47, Chapter 12 of the Oklahoma Statutes, other than the uppermost distribution of light specified in Title 47, Section 12-203 (C) (1) of the Oklahoma Statutes

### Sec. 24-91. When permits required for parades and processions.

No funeral, procession, or parade containing 200 or more persons or 50 or more vehicles, except the military forces of the United States and the military forces of this state, shall occupy, march, or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply. Any permit issued hereunder shall have no fee and shall be applied for not less than ten (10) days prior to the parade or procession.

### Sec. 24-92. Vehicles shall not be driven on a sidewalk.

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

### Sec. 24-93. Starting parked vehicle.

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

### Sec. 24-94. Limitations on backing.

(a) No vehicle shall be backed upon any street, highway, avenue or public thoroughfare except for such distance as may be necessary to permit the vehicle to enter the proper driving lane from a parked position. Such backing shall be done after the driver of said vehicle has ascertained that such movement can be made without endangering or interfering with other traffic.

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(b) No vehicle shall be backed from a parking space unless such movement can be made without endangering or interfering with other traffic.

### Sec. 24-95. Opening and closing vehicle doors.

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

### Sec. 24-96. Overtaking stopped school bus prohibited.

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

### Sec. 24-97. Obstructions to driver's view or driving mechanisms.

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

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

(c) No person shall drive any vehicle so constructed or closed in by obstructions to view so as to prevent the driver from having a clear view ahead and at all sides of such vehicle.

### Sec. 24-98. Clinging to vehicles.

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

### Sec. 24-99. Boarding or alighting from vehicles.

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

### Sec. 24-100. Unlawful riding.

No person shall ride, nor shall the driver of any vehicle permit another person to ride on

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any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to any person riding within truck bodies or to persons engaged in the lawful delivery of newspapers, and who are riding on the tailgate of a vehicle in a safe and prudent manner.

### Sec. 24-101. Driving through safety zone prohibited.

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

### Sec. 24-102. Dangerous objects in streets.

(a) No person shall throw or deposit upon any highway, street, avenue or public thoroughfare any glass bottle, glass, nails, tack, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway, street, avenue, or public thoroughfare.

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

(c) Any person removing a wrecked or damaged vehicle from a highway, street, avenue or public thoroughfare shall remove any glass or other injurious substances dropped upon the public thoroughfare from such vehicle.

(d) No person shall throw any substance at a vehicle or any occupant thereof nor shall any person throw any substance at a person on or adjacent to a highway, street, avenue or public thoroughfare.

### Sec. 24-103. Operation of vehicles.

It shall be unlawful for any person to operate an autocycle, electric assisted bicycle, motorized bicycle, street legal utility vehicle, motor scooter, moped, motor driven scooter on any street, alley, highway or thoroughfare within the City of Yale in violation of any of the provisions of Title 47 of the Oklahoma State Statutes. (ORD. NO. 401)

### Sec. 24-104. State driver's licenses.

No person shall operate an auto, bus, or motor vehicle upon the public streets of this city without an operator's license as required under the laws of the State of Oklahoma, and no person shall permit a person to operate an auto, bus or motor vehicle upon the public streets of the City of Yale without one of the above valid licenses.

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### Sec. 24-105. Operators and front seat passengers required to wear safety belts; application of the act.

- (a) (1) Every operator and front seat passenger of a passenger car operated in this state shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 C.F.R. § 571.208.
- (2) For the purposes of this section, "passenger car" shall mean "vehicle" as defined in Section 1102 of Title 47 of the Oklahoma Statutes. In addition "passenger car" shall include the passenger compartment of pickups, vans, minivans, and sport utility vehicles. "Passenger car" shall not include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles. "Passenger car" shall not include a vehicle used primarily for farm use, which is registered and licensed pursuant to the provisions of Section 1134 of Title 47 of the Oklahoma Statutes.

(b) This section shall not apply to any person who possesses a written verification from a physician licensed in this state that the person is unable to wear a safety seat belt system for medical reasons. Provided, the issuance of such verification by a physician, in good faith, shall not give rise to, nor shall such physician thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of such failure to wear a safety seat belt system.

(c) This section shall not apply to an operator of a motor vehicle while performing official duties as a route carrier of the U.S. Postal Service.

(d) Fine and court costs for violating the provisions of this section shall not exceed Fifty Dollars (\$50.00).

### Sec. 24-106. Application of Chapter 24 to persons working on highways.

Unless specifically made applicable, the provisions of this Chapter 24 except those relating to reckless driving, operation of a motor vehicle under the influence of intoxicating liquor or drugs or negligent homicide shall not apply to persons, motor vehicles and other equipment while actually engaged in work upon the surface of a highway, or to persons, motor vehicles and other equipment while actually engaged in construction, maintenance or repair of public utilities, provided that all highway and public utility operations shall be protected by



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adequate warning signs, signals, devices or flagmen; but the provisions of this chapter shall apply to such persons and vehicles when traveling to or from such work.

### Sec. 24-107. Requiring drivers to pass stationary authorized emergency vehicles with due care.

(a) The driver of a motor vehicle, upon approaching a stationary authorized emergency vehicle that is displaying a flashing combination red or blue light or any combination of red or blue lights, shall:

- (1) If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the driver, the driver shall proceed with due caution and shall, if possible and with due regard to the road, weather, and traffic conditions, change lanes into a lane that is not adjacent to the stationary authorized emergency vehicle; or if the driver is not able to change lanes or if to do so would be unsafe, the driver shall proceed with due caution and reduce speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions; and
- (2) If traveling on a highway other than a highway described in paragraph (1) of this subsection, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions.

(b) This section does not relieve the operator of a stationary authorized emergency vehicle from the consequences of reckless disregard for the safety of all persons and property upon the highway.

### Sec. 24-108. Refuse Vehicles.

The driver of a motor vehicle, upon approaching a vehicle being used in the collection of refuse, solid waste or recyclables displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps pursuant to the provisions of Title 47, Section 12-227 of the Oklahoma Statutes shall:

- (1) If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the driver, proceed with caution and shall, if possible and with due regard to the road, weather and traffic conditions, change lanes into a lane that is not adjacent to the vehicle being used in the collection of refuse, solid waste or recyclables; or if the

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driver is not able to change lanes or if to do so would be unsafe, the driver shall proceed with caution and reduce the speed of the motor vehicle to a safe speed for existing road, weather and traffic conditions.

(2) If traveling on a highway other than a highway described in paragraph 1 of the Section, proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather and traffic conditions.

### Sec. 24-109. Electronic Communication Device Usage Prohibited.

(a) It shall be unlawful for any person to operate a motor vehicle on any street or highway within the City of Yale, Oklahoma while using a hand-held electronic communication device to manually compose, send or read an electronic text message while the motor vehicle is in motion.

(1) The provisions of this section (a) shall not apply if the person is using the cellular telephone or electronic communication device for the sole purpose of communicating with any of the following regarding an imminent emergency situation:

- (a) An emergency response operator.
- (b) A hospital, physician's office or health clinic.
- (c) A provider of ambulance services.
- (d) A provider of firefighting services.
- (e) A law enforcement agency.

(2) Any person who violates the provisions of this section (a) shall, upon conviction, be punished by a fine of not more than One Hundred Dollars (\$100.00).

(b) It shall be unlawful for any person to operate a motor vehicle on any street or highway within the City of Yale, Oklahoma while using a cellular telephone to perform multiple functions on such cellular telephone to include but not limited to the following: changing music on such device, transcribing or recording information, or reviewing photographs. Any person who violates the provisions of this section (b) shall, upon conviction, be punished by a fine of not more than One Hundred Dollars (\$100.00).

(c) It shall be unlawful for any person to operate a commercial motor vehicle or for a public transit driver to operate a motor vehicle on any street or highway within the City of Yale, Oklahoma while using a cellular telephone or electronic device to write, send or read a text based

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communication or using a hand held mobile telephone while operating a commercial motor vehicle.

(1) For the purposes of this section (b) using a hand held mobile telephone device is permissible by drivers of a commercial motor vehicle when necessary to communicate with the enforcement officials, other emergency services or by a public school bus driver to and from a central dispatch school transportation department.

(d) For purposes of this section:

(1) "Cellular telephone" means an analog or digital wireless telephone authorized by the Federal Communication Commission to operate in the frequency bandwidth reserved for cellular telephones.

(2) "Compose", "send" or "read" with respect to a text message means the manual entry, sending or retrieval of a text message to communicate with any person or device.

(3) "Electronic communication device" means an electronic device that permits the user to manually transmit a communication of written text by means other than through an oral transfer or wire communication. This term does not include a device that is physically or electronically integrated into a motor vehicle or a voice operated global positioning or navigation system that is affixed to a motor vehicle, or a hands free device that allows the user to write, send or read a text message without the use of either hand except to activate, deactivate or initiate a feature or function, an ignition interlock device that has been installed on a motor vehicle.

(4) "Text message" includes a text based message, instant message, electronic message, photo, video or electronic mail.

(5) "Public transit driver" means (a) any operator of a public transit vehicle owned and operated by the State of Oklahoma, any public trust authority, county, municipality or an school district; (b) any operator of a school bus or multi passenger motor vehicle owned and approved to operate by the Oklahoma State Department of Education or any school district; or (c) any operator, conductor or driver of a locomotive engine, railway car or train of cars.

(e) Any person who violates the provisions of this section, excepting sections (a) and (b) shall, upon conviction, be punished by a fine of not more than Five Hundred Dollars (\$500.00). (Ord. No. 394)

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## Article 12. Pedestrians' Rights and Duties

### Sec. 24-110. Pedestrians subject to traffic-controls.

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

### Sec. 24-111. Pedestrians' right of way in cross walks.

(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 cross walk 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 vehicle which is so close that it is impossible for the driver to yield.

(c) Whenever any vehicle is stopped at a marked cross walk or at any unmarked cross walk 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.

### Sec. 24-112. When pedestrian shall yield.

(a) Every pedestrian crossing a road at any point other than within a marked cross walk or within an unmarked cross walk at an intersection shall yield the right of way to all vehicles upon the roadway.

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

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### Sec. 24-113. Prohibited crossing.

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

### Sec. 24-114. Pedestrians soliciting rides or business.

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

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

### Sec. 24-115. Drivers to exercise due care.

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 confused or incapacitated person upon a roadway.

### Sec. 24-116. Pedestrians walking along roadways.

(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, and shall yield to approaching vehicles.

### Sec. 24-117. Drivers to exercise due care.

Notwithstanding the 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 confused or incapacitated person upon a roadway.

### Sec. 24-118. Running or jogging on city streets; reflective clothing required.

No person shall run or jog in any public street or highway other than in a safety zone during the time from one-half hour after sunset to one-half hour before sunrise, or at any other time when there is not sufficient natural light to render clearly discernible persons and vehicles



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on the street or highway at a distance of three hundred (300) feet ahead, unless such person is wearing reflective device. The reflective clothing or reflective device shall be worn on the person and be of sufficient size and reflective capacity to be seen at a distance of not less than three hundred (300) feet to the person's front and rear, when illuminated by two (2) standard automobile headlights operating at the lawful lower beam setting.

### Sec. 24-119. Use of earphones and headphones prohibited.

The use of earphones and headphones by pedestrians and joggers is prohibited while said persons are using any public street or highway open to motor vehicle traffic. For purposes of this section, "public street or highway" shall not include any sidewalk.

### Sec. 24-120. Disabled pedestrian; blind, deaf, physically handicapped.

(a) No person, except those wholly or partially blind, shall carry or use on any street, highway, or in any other public place a cane or walking stick which is white in color, or white tipped with red.

(b) Any driver of a vehicle who knowingly approaches within fifteen (15) feet of a person who is in the roadway or at an intersection and who is wholly or partially blind and who is carrying a cane or walking stick white in color, or white tipped with red, or who is using a dog guide wearing a specialized harness, or who is wholly or partially deaf and is using a signal dog wearing an orange identifying collar, or who is physically handicapped and is using a service dog, shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the person wholly or partially blind, deaf or physically handicapped. For purposes of this section, a "dog guide" means any dog that is specially trained to guide a blind person.

### Sec. 24-121. Pedestrians to use right half of crosswalks.

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

### Sec. 24-122. Crossing at right angles.

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

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## Article 13. Bicycles

### Sec. 24-123. Effect of regulations.

(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required of this article.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

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

### Sec. 24-124. Traffic laws apply to persons riding bicycles.

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State of Oklahoma declaring rules of the road applicable to vehicles except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no applications.

### Sec. 24-125. Obedience to traffic-control devices.

(a) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

### Sec. 24-126. Riding on roadways and bicycle paths.

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

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



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### Sec. 24-127. Parking.

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

### Sec. 24-128. Riding on sidewalks.

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

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

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

### Sec. 24-129. Speed.

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

### Sec- 24-130. Clinging to vehicles.

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

### Sec: 24-131. Lamps and other equipment on bicycles.

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

(b) Every bicycle shall be equipped with a brake, which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.

### Sec. 24-132. Use of earphones and headphones prohibited.

The use of earphones and headphones by persons riding bicycles is prohibited while said

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persons are using any public street or highway open to motor vehicle traffic. For purposes of this section, "public street or highway" shall not include any sidewalk.

### Article 14. Motorcycles, etc.

#### Sec. 24-133. Additional passengers prohibited; exception.

No driver of a two or three wheel motor vehicle shall carry any other person on, upon or within such vehicle on any street or highway in the City of Yale, except as hereinafter provided; provided, however, that if any two or three wheel motor vehicle with a wheel diameter of twelve inches or greater shall have either a double seating device with double foot rests or a side car attachment providing a separate seat space with such side car for each person riding therein so that such person shall be seated entirely within the body of said side car, then it shall be permissible for an operator who has attained the age of sixteen (16) years or older to carry a passenger. A demonstration ride by a licensed dealer or his employee is excepted from the provisions hereof.

#### Sec. 24-134. Special speed limitations.

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

#### Sec. 24-135. Clinging to vehicles.

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

#### Sec. 24-136. Passing between lanes.

No driver of a motorcycle or motor scooter shall pass other vehicles in between lanes of traffic traveling in the same direction. The section shall not apply to authorized emergency vehicles.

#### Sec. 24-137. Riding on sidewalks.

No person shall ride a motorcycle or motor scooter upon any sidewalk.

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### Sec. 24-138. Headgear.

No person under the age of eighteen (18) years of age shall operate or ride upon any vehicle under this section unless such person is equipped with and wearing on the head a crash helmet of a type which complies with standards established by the Oklahoma Department of Public Safety. All crash helmets shall consist of lining, padding and chin straps and be of the type as not to distort the view of the driver. The Chief of Police is hereby authorized to approve or disapprove protective headgear and eye protective devices sold and required herein, and to issue and enforce regulations establishing standards and specifications for approval thereof.

### Sec. 24-139. Restriction on time of operation.

It shall be unlawful for any person to operate a motor-driven cycle, including a motor scooter or motor-driven bicycle, on a street in this city during a time when state law prohibits the operation of such vehicle.

### Sec. 24-140. Required equipment.

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

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

(b) Windshield: All vehicles covered under this section shall be equipped with a windshield of sufficient quality, size and thickness to protect the operator from foreign objects, except that in lieu of such windshield the operator shall wear goggles or face shield of material and design to protect him from foreign objects.

(c) Brakes: All vehicles covered under this section shall be equipped with brakes adequate to control the movement of same to stop and hold such vehicles, including two separate means of applying the brakes, one means shall be effective to apply the brakes to the rear wheels. All such vehicles shall be equipped with a stop lamp on the rear of the vehicle, which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service brake.

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(d) Speedometer: All vehicles covered under this section shall be equipped with a properly operating speedometer capable of registering as least the maximum legal speed limit for that vehicle.

(e) Fenders: All vehicles covered under this section shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer.

(f) Lights: All vehicles covered under this section shall carry at least one (1) lighted headlight capable of showing a white light visible at least three hundred (300) feet in the direction in which the same are proceeding, and one (1) tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear, and such light required by this section shall be burning whenever such vehicles are in motion during the period from one-half hour after sunset and one-half hour before sunrise and at any other time when due to insufficient light or unfavorable atmosphere conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet ahead.

(g) Headgear: No person under the age of eighteen (18) years of age shall operate or ride upon any vehicle under this section unless such person is equipped with and wearing on the head a crash helmet of a type which complies with standards established by the Oklahoma Department of Public Safety. All crash helmets shall consist of lining, padding and chin straps and be of the type as not to distort the view of the driver. The Chief of Police is hereby authorized to approve or disapprove protective headgear and eye protective devices sold and required herein, and to issue and enforce regulations establishing standards and specifications for approval thereof.

### Sec. 24-141. Miscellaneous provisions.

(a) No motorcycle or motor scooter shall be ridden upon any sidewalk in the City of Yale.

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

(c) No rider of a motorcycle or motor scooter shall hold to any moving vehicle for the purpose of being propelled.

(d) No driver of a motorcycle or motor scooter shall pass other vehicles in between

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lanes of traffic traveling in the same direction, authorized emergency vehicles excepted.

### Sec. 24-142. Golf Carts and Utility All-Terrain Vehicles; Operation on Public Streets.

Golf Carts and Utility All-Terrain vehicles may be operated on the public streets of the City of Yale in accordance with the following provisions.

(1) Golf cart shall be defined as a 3 or 4 wheel electric or gasoline powered vehicle designed to carry at least two persons side by side with a storage rack to carry golf bags.

(2) All-Terrain Vehicle shall be defined as a motorized flotation-tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, which is sixty (60) inches or less in width, and has an unladen dry weight of one thousand five hundred (1,500) pounds or less manufactured and used exclusively for off-highway use.

(3) Utility All-terrain vehicles (UATV) shall be defined in the same manner as section (2) above, except that such a vehicle shall have a utility bed capable of carrying cargo or implements of husbandry, permanently attached to the rear thereof by the, Manufacturer of such UATV.

(4) Go-carts, two wheeled vehicles, and All-terrain vehicles (except All-Terrain Vehicles) shall be prohibited from operating on city public streets, unless otherwise authorized by the Yale City Code or Oklahoma State Statutes.

(5) No person may operate a vehicle authorized by this Section upon public streets or rights of way unless that person is licensed to drive upon the streets and highways the State of Oklahoma and then only in accordance with such driver's license.

(6) No vehicle authorized by this Section may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 25 miles per hour.

(7) Vehicles authorized by this Section must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.

(8) A vehicle authorized by this Section may be operated only during daylight hours, specifically sunrise to sunset as established by the United States Naval Observatory.

(9) Vehicles authorized by this Section must be operated in accordance with all applicable state and local laws and ordinances including all laws regulations and ordinances pertaining to the possession and use of alcoholic beverages.

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(10) The Chief of Police or any public safety officer supervising or controlling traffic, may prohibit the operation of golf carts or UATV's on any street or road if the officer determines that the prohibition is necessary in the interest of safety.

(11) Vehicles authorized by this Section may only be operated on local residential streets and roads with a posted speed limit for motor vehicles of 25 miles per hour or less. Such vehicles shall not be operated on Chicago Street (State Highway 51) except to cross over at a street or alley intersection. Before crossing, said vehicle shall come to a complete stop, yield the right-of-way to all oncoming traffic that constitutes an immediate hazard, and cross the street or highway at an angle of approximately ninety (90) degrees to the direction of the street or highway.

(12) Vehicles authorized by this Section shall not be operated on sidewalks except to cross over to a street or road from a private drive or at an approved crossing location.

(13) Vehicles authorized by this Section shall not be operated on or across any public or private properties without the permission of the property owner.

(14) All golf carts and UATV's operated on city streets shall have proof of liability insurance on such vehicle in the amounts required by the State of Oklahoma for motor vehicles in the form of a vehicle security verification form or correspondence for an insurance company or agent licensed to do business in the state of Oklahoma certifying that the operator or owner's homeowners insurance or other policy specifically provides liability coverage for the operation of such vehicle on public streets in the minimum amounts required by the State of Oklahoma for motor vehicles and the beginning and ending dates during which said liability insurance is in effect.

(15) Vehicles authorized by this Section shall be equipped with a triangular yellow-orange and red slow moving vehicle emblem which meets the standards and specifications of the American Society of Agricultural Engineers, ASAE 5276.3, Slow Moving Vehicle Identification Emblem. Such emblem shall be mounted on the rear of such vehicles, in the approximate horizontal geometric center of the vehicle, at a height of three (3) to five (5) feet above the roadway, and shall be maintained at all times in a clean and reflective condition.

(16) No vehicle authorized by this Section shall be use to tow any person, vehicle, trailer, equipment, or other thing upon the streets of the city.

(17) No Person shall operate a vehicle authorized by this Section in inclement weather

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or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of 500 feet.

(18) Only the number of people the vehicle authorized by this Section is designed to seat may ride on such vehicle, specifically, passengers shall not be carried on the part of the vehicle designed to carry cargo. All operators and passengers must remain seated at all times during operation of the vehicle. No person may sit on the operator's lap during operation of the vehicle.

### Article 15. Method of Parking

#### Sec. 24-143. Standing or parking close to curb.

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

#### Sec. 24-144. Brakes; motor not to be left running.

Adequate brakes shall be set on all parked vehicles. No driver of a motor vehicle shall leave the vehicle with the motor running while parked.

#### Sec. 24-145. Signs or markings indicating, angle parking.

The Board of Commissioners may by motion or resolution, determine upon what streets angle parking shall be permitted and shall have such streets marked or signed.

#### Sec. 24-146. Obedience to angle parking signs or markings.

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

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### Sec. 24-147. Park in spaces marked off.

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

### Sec. 24-148. Permits for loading or unloading at an angle to the curb.

(a) The City Manager is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The board may revoke such permits at any time.

(b) It shall be unlawful for any permittee or other persons to violate any of the special terms or conditions of any such permit.

### Article 16. Stopping, Standing, or Parking Prohibited in Special Places

#### Sec. 24-149. Stopping, standing or parking prohibited.

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

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) In or upon a private driveway of another, without permission of the owner, lessee, or person in charge thereof.
- (4) Upon the private property of another other than a private driveway, without permission of the owner, leasee, or person in charge thereof, except where such private property is provided as a parking area and the general use of said property is not restricted by signs or proper markings to allow parking by a specific class of individuals only, such as customers of a particular business establishment, residents of a certain apartment house, etc.
- (5) Within an intersection.
- (6) Within 15 feet of a fire hydrant except in a parking space officially marked.



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- (7) On a crosswalk.
- (8) Within 20 feet of a crosswalk at an intersection.
- (9) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway.
- (10) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city indicates a different length by signs or markings.
- (11) Within 50 feet of the nearest rail or railroad crossing.
- (12) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign posted.
- (13) Alongside or opposite any street excavating or obstruction when stopping, standing, or parking would obstruct the traffic.
- (14) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (15) Upon any bridge or other elevated structure upon a highway or within a highway underpass.
- (16) At any place where official signs prohibit stopping.

(b) No person shall move a vehicle not lawfully under his control into such prohibited area or away from a curb such distance as is unlawful.

Sec. 24-150. Unlawful stopping, standing, or parking in or upon Private driveways and private property; complaint required; evidence of permission.

(a) In all instances where there occurs a violation of Section 24-149 by reason of the stopping, standing or parking of a vehicle in the places designated as 3 and 4 therein, the owner, lessee or person in charge of the private driveway or property in or upon which the violation occurs shall sign a complaint against the person stopping, standing or parking such vehicle, or if the identity of said person be unknown, then said complaint may be filed against the registered owner of said vehicle, in which case the evidentiary presumption set forth in Sec. 24-180 shall apply.

Said complaint so filed shall be verified and shall allege that the complaining party is the

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owner, lessee or person in charge of the private driveway or property in or upon which such stopping, standing, or parking of said vehicle occurred.

(b) In any prosecution based upon a properly verified complaint as set forth in subsection (a) above, the person alleged to have violated the provisions of Section 24-149 by reason of the stopping, standing or parking of a vehicle in the places designated as 3 and 4 therein, shall have the burden of showing that permission therefor was given by the owner, lessee, or person in charge of the private driveway or property in or upon which the violation is alleged to have occurred.

### Sec. 24-151. Parking in streets and alleys not to obstruct traffic.

No person shall park a vehicle within a street or alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within a street or alley in such a position as to block the driveway entrance to any abutting property.

### Sec. 24-152. Parking for certain purposes prohibited.

No person shall park a vehicle upon a roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

### Sec. 24-153. Parking time limits may be established; prohibitions.

(a) The Board of Commissioners by motion or resolution, is hereby authorized to establish parking time limits, or to prohibit parking, on designated streets and parts of street, by having appropriate signs placed thereon.

(b) When such signs are in place, it shall be unlawful for any person to park a vehicle in violation thereof.

### Sec. 24-154. Parking more than 24 hours prohibited.

No person shall park a vehicle on any street or city owned parking lot for a period of time longer than twenty-four (24) hours. This section shall not affect parking limits established for shorter period.

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### Sec. 24-155. Standing or parking on one-way roadways.

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

### Sec. 24-156. Handicapped Parking, Penalty.

(a) It shall be unlawful for any person to place or park a motor vehicle in any parking space, wheelchair ramp, wheelchair unloading area or any portion thereof that is designated and posted as a reserved area for the parking of a motor vehicle operated by, or transporting a physically disabled person unless such person has applied for and been issued a detachable insignia indicating physical disability under the provision of Title 47 O.S. Section 15-112, and such insignia is displayed as provided in Title 47 O.S. Section 15-112 or unless such person has applied for and been issued a physically disabled special license plate pursuant to the provisions of the Oklahoma Statutes, and such license plate is displayed pursuant to the provisions of the Oklahoma Vehicle License and Registration Act.

(b) Violation of the provisions of section (a), shall result in a fine of up to One Hundred Dollars (\$100.00), and in addition thereto, such person shall pay any and all reasonable and necessary charges incurred by the landowner or other person in having any motor vehicle removed from the property and stored.

(c) Any person cited for a first offense for a violation of section (a), who has displayed a placard which has expired shall be entitled to dismissal of such charge and shall not be required to pay the fine or court costs if the person presents to the court within thirty (30) days of the issuance of the citation a notice from the Department of Public Safety that the person has obtained a valid handicapped parking placard.

### Sec. 24-157. Parking trucks and trailers on city streets.

No vehicle, truck, or trailer, having a rated gross vehicle weight exceeding 15,000 pounds may be parked upon public streets, easements, alleys or other public ways of the City for a period exceeding 24 hours.

### Sec. 24-158. Parking trucks and trailers on residential streets.

No vehicle, truck, or trailer, having a rated gross vehicle weight exceeding 15,000 pounds

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may be parked upon public streets, easements, alleys or other public way in a residential area or immediately adjacent to a residential area of the City except for such time as may be necessary to load or unload such vehicle. During such time, said vehicle shall not be unattended.

### Sec. 24-159. Unattended trucks or trailers

No vehicle, truck, or trailer, having a gross vehicle weight exceeding 15,000 pounds which is parked upon public streets, easements, alleys or other public way of the City shall leave its engine or any refrigeration engine running while

### Sec. 24-160. Truck routes, established.

There is hereby established within the city the following "Truck Route":

Outside Origin; Outside Destination. All trucks entering the City for destination points outside the City shall operate only over the following designated routes:

East or Westbound. When entering the City from either the East or West on State Highway No. 51 and traveling in an Eastbound or Westbound direction through the City, then said truck shall continue on State Highway No. 51 to the City Limits.

### Sec. 24-161. Truck routes.

(a) The City Commission, after holding a public hearing thereon, notice of which shall be published at least ten (10) days prior to the date thereof, may by resolution prescribe routes through the City of Yale for the use of trucks in general or trucks of particular kinds and other vehicles which are not ordinary private passenger vehicles, passing through or within the City. The City Manager shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the prescribed routes.

(b) Vehicles in excess of two (2) tons are prohibited from using certain streets as follows:

(c) No person shall operate any vehicle exceeding a carry weight in excess of two (2) tons or in excess of two (2) axles at any time upon any streets in the City of Yale except those streets designated as truck routes, and except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the designation of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

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### Sec. 24-162. Truck traffic in the city.

#### (1) Outside Origin.

(a) One inside destination point. All trucks entering the City for a destination point in the City shall proceed only over an established truck route as provided for in Section 24-160 hereof and shall deviate only at the intersection with the street, upon which such traffic is permitted, nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route.

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

#### (2) Inside Origin.

(a) Outside destination point. All trucks, on a trip originating in the City, and traveling in the City for a destination point outside the City shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as herein established.

(b) Inside destination points. All trucks, on a trip originating in the City, and traveling in the City for destination points in the City shall proceed only over streets upon which such traffic is permitted.

### Sec. 24-163. Enforcement.

(a) Clerk Maintains Map. The City Clerk shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the City Clerk and shall be available to the public.

(b) Chief of Police Maintains Signs. The Chief of Police of the City shall cause all truck routes and those streets upon which truck traffic is prohibited to be clearly sign-posted to give notice that this Ordinance is in effect.

(c) Failure to post. No person shall be charged with violating the provisions of this chapter by reason of operating a truck upon a street wherein truck travel is prohibited unless appropriate signs are posted on such street.

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(d) Weigh-in. The Chief of Police shall have the authority to required any person driving or in control of any commercial vehicle not proceeding over a truck route or street over which a truck is permitted to proceed to any public or private scale available for the purpose of weighing and determining whether this Section has been complied with.

### Sec. 24-164. Violations.

Any violation of any of the provisions of this article shall be deemed a misdemeanor upon conviction shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00). Any person, firm, corporation or association which violates or refuses to comply with any of the provisions contained herein shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) for each separate offense. Each day that a violation occurs shall constitute a separate offense.

### Article 17. Vehicle Condition and Equipment

#### Sec. 24-165. Vehicles injurious to streets.

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

#### Sec. 24-166. Obstructive, dangerous and overloaded vehicles.

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

(b) No person shall ride in any vehicle upon any portion thereof not designed or intended for the use of passengers. Under the terms of this provision no person shall ride in the front seat of a vehicle when he is one of more than three (3) persons in any such front seat. Nor shall any person ride in any vehicle which shall be equipped with bucket seats in such a manner, so as to cause there to be more persons in the front seat of said vehicle than there are bucket seats.

#### Sec. 24-167. Equipment required.

(a) Every vehicle operated upon the streets of the City of Yale shall be equipped as required by law. It shall be unlawful to fail to use such equipment in the manner required by the statute, to use such equipment in a manner prohibited by statute, or to operate and drive a vehicle upon the streets of the city which has equipment prohibited by the statute.

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(b) It shall be unlawful for the owner of any vehicle to permit said vehicle to be driven or operated upon the streets of the City of Yale when said vehicle is equipped in violation of the provisions of this section.

### Sec. 24-168. Mufflers, cut-outs.

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

### Sec. 24-170. Width, height, length, weight, and load.

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

(b) The City Manager subject to any directions which the City Commission may give by motion or resolution, shall have authority to prohibit the operation of vehicles in excess of ten thousand (10,000) pounds, gross weight, on any street or portion thereof, except vehicles engaged in local loading or unloading, and to have placed appropriate signs along the street indicating the weight restriction.

### Sec. 24-170. Inspection of vehicles.

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

## Article 18. Miscellaneous Regulations

### Sec. 24-171. Unattended vehicles.

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

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### Sec. 24-172. Limitations on backing.

No vehicle shall be backed upon any street, highway, avenue or public thoroughfare except for such distance as may be necessary to permit the vehicle to enter the proper driving lane from a parked position. Such backing shall be done only after the driver of said vehicle has ascertained that such movement can be made without endangering or interfering with other traffic.

### Sec. 24-173. Driving vehicles on public property prohibited.

(a) It shall be unlawful for any operator of a vehicle to park or drive within or upon any public property except on permanently established roadways, parking areas, or in any area specifically designated and marked for parking and/or driving purposes.

(b) As used in this section, the term "public property" means any property owned or in the control of the city, or any other municipal corporation, governmental agency or instrumentality, including but not limited to parks, playgrounds, easements or drainage areas.

(c) This section shall not apply to the operator of any vehicle owned by or used in the service of the city, the state, the United States Government, or any county or other governmental unit or agency while performing any governmental duty or function.

### Sec. 24-174. Driving through safety zone, removal of flood barricades prohibited.

(a) No vehicle shall at any time be driven through or within a safety zone or island within the City of Yale.

(b) When any section of a highway, street or alley has been closed to traffic due to flooding and traffic control devices or barricades have been erected, it shall be unlawful for any person to tear down, damage or remove any traffic control devices or barricades or drive any vehicle through, under, over or around the traffic control devices or barricades, or otherwise enter the closed area. Any person convicted pursuant to the provisions of this Section shall be ordered to pay restitution in an amount equal to the actual costs of the emergency response and repair or replacement of any damaged or lost emergency equipment.

### Sec. 24-175. Coasting prohibited.

(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.



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(b) The driver of any motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

### Sec. 24-176. Meeting, overtaking, church buses.

(a) A church bus is a vehicle operated by a nonprofit religious organization which transports persons, including school-age children, to and from religious services.

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

(c) Every church bus used for the transportation of persons to and from religious services shall bear upon the front and rear thereof plainly visible signs containing the words "CHURCH BUS" in letters not less than eight (8) inches in height and in addition may be equipped with visual signals meeting the requirements of 47 O.S. § 12-248, which shall be actuated by the driver of said church bus whenever, but only whenever, such vehicle is stopped on the highway for the purpose of receiving or discharging passengers.

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

### Article 19. Traffic Violations Bureau

#### Sec. 24-177. Traffic violations bureau created.

The Municipal Judge shall designate the specified offenses under the traffic procedures of this city and the state traffic laws in respect to which payments of fines may be accepted by the City Clerk in satisfaction thereof, and shall specify by suitable schedules the amount of such fines for first, second and subsequent offenses, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearances before the Municipal Judge.

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### Sec. 24-178. Citation tags.

Police officers are hereby authorized to give notice to persons violating provisions of this chapter by delivering citation tags to violators or, in cases where vehicles without drivers are parked or stopped in violation of this chapter, by affixing such tags to the vehicles by means of which the violation occurred. Such citation tags, among other things, shall indicate briefly the charge, shall bear the registration number of the vehicle, and shall direct the violator to present the tag at the police station or other designated place within five days or such other reasonable time specified thereon. Nothing contained herein shall abridge the power to arrest any violator and to take him into custody, or to file a complaint against him, at any time.

### Sec. 24-179. Failure to comply with citation tags.

If a violator of any provisions of this chapter who has been given a citation tag as provided above fails to appear in accordance with the instructions on such tag, the City Clerk shall send to the owner of the vehicle involved a letter, or other written notice, informing him of the violation and warning him to appear as directed and that, in the event such letter or notice is disregarded for a period of five (5) days, a complaint will be filed and warrant of arrest issued; provided that nothing in this section shall abridge the power to file a complaint against him prior to the expiration of such time.

### Sec. 24-180. Presumption in reference to illegal parking.

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

(b) The foregoing stated presumption shall apply only when the procedure of giving a citation tag has been followed.

### Sec. 24-181. When complaint is to be entered and warrant issued.

In the event any person fails to comply with a citation tag given to such person or attached to a vehicle, the Chief of Police shall have a complaint entered against such person

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before the municipal judge; and the municipal judge shall issue a warrant for his arrest.

### Sec. 24-182. Authority to impound vehicles; release of vehicle.

(a) The police department is hereby authorized to impound a vehicle and remove same to a garage or other place of safety under any of the circumstances hereinafter enumerated:

- (1) When a vehicle is left unattended upon any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.
- (2) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury or otherwise incapacitated to such an extent as to be unable to provide for its custody or removal.
- (3) When a vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard to obstruction to the normal movement of traffic.
- (4) When a vehicle has been parked for more than one (1) hour in excess of the time allowed for parking in any place.
- (5) When a vehicle which has been involved in two (2) or more violations of this chapter for which citation tags have been issued and not presented as required, is parked in violation of any provision of this chapter.
- (6) When pursuant to Section 24-150 hereof a duly signed verified complaint has been filed alleging a violation of Section 24-149 by reason of the stopping, standing or parking of a vehicle in the places designed as 3 and 4 therein.
- (7) When any vehicle is driven or operated upon any street, alley or thoroughfare within the City of Yale, and when said vehicle is without a vehicle license as required by the Oklahoma State statutes, and Section 24-30 of the Yale City Code or when said vehicle fails to display the vehicle license tag as required by law.
- (8) When the driver or person in charge of any vehicle is placed under arrest and taken into custody and detained by police under circumstances which

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

(b) Whenever an officer removes a vehicle as authorized in this section, and officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor, and of the place to which such vehicle has been moved. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage. It is especially provided that the owner of such vehicle shall be liable for the cost of removal and storage of said vehicle.

(c) Whenever an officer removes a vehicle under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is not able to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

(d) A vehicle impounded as provided herein, shall be delivered back to the owner or other person to whom it may properly be delivered only after the posting of any bond required or the payment of any fine or fines and costs as may have been imposed and assessed for the violation or violations for which such vehicle was impounded, and after the payment of the cost of removal and storage of said vehicle.

### Sec. 24-183. Handicapped parking signs.

(a) Posted signage for every parking space that is designated and posted as a reserved area for the parking of a motor vehicle operated by or transporting a physically disabled person must display sign R7-8, as provided in the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration of the United States Department of Transportation, which includes the words "RESERVED PARKING" and the blue

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and white international symbol of access. Van-accessible physically disabled reserved parking spaces shall also display sign R7-8a immediately below sign R7-8.

(b) The blue and white international symbol of access, accompanied by appropriate language including, but not limited to, 'Handicapped Parking', 'Reserved for Handicapped: and "Permit Required Towing Enforced' may be used in lieu of sign R7-8 if the sign was erected prior to January 1, 2010.

### Sec. 24-184. Adoption of state traffic code.

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

### Sec. 24-185. Penalty.

(a) It is unlawful for any person, firm or corporation to do any act forbidden, or fail to perform any act required in Chapter 24 of the Yale City Code.

(b) It is unlawful for a parent of a child or the guardian of a ward to authorize or knowingly to permit any such child or ward to violate any provisions of Chapter 24 of the Yale City Code.

(c) It is unlawful for any person, firm or corporation to authorize or knowingly to permit any vehicle registered in his or its name to be driven or to stand or to be parked in violation of any provision of Chapter 24 of the Yale City Code.

(d) Any person, firm or corporation who violates any provision of Chapter 24 of the Yale City Code, that does not involve a traffic related offense relating to speeding or parking or perform any unlawful act that does not involve a traffic offense relating to speeding or parking as defined in Chapter 24 of the Yale City Code, or fails to perform any act required in Chapter 24, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) excluding costs.

(e) Any person, firm or corporation who violates any provisions of Chapter 24 of the Yale City Code that involves a traffic related offense relating to speeding or parking, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) excluding costs.