

TITLE XI

TRAFFIC CODE

TRAFFIC DEFINITIONS

(See UCA 1953, Sections 41-1-1 and 41-6-2 through 41-6-10)

11-1-1: Traffic Definitions

11-1-1: TRAFFIC DEFINITIONS. Whenever in this Title the following terms are used, they shall have the meaning ascribed to them in this Chapter, unless otherwise apparent from the context. Any term not defined herein shall have the meaning elsewhere defined in these Revised Ordinances or in the statutes of the State of Utah, or if not defined in either, then any term shall be given its common and customary meaning.

ALLEY. A public way within a block primarily intended for service and access to abutting property by vehicles and not designed for general travel.

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the Fire Department, Police vehicles and such ambulances and emergency vehicles of municipal departments, public service corporations or private ambulances as are designated or authorized as such by the State Vehicle Department or local authorities, and ambulances and emergency vehicles of the United States and State Government as may be operated on the streets of this City.

BICYCLE. Every device propelled by human power upon which any person may ride, having two tandem wheels, either of which is over 12 inches in diameter, and including any device generally recognized as a bicycle although equipped with more than one front or rear wheel.

BUS. Every motor vehicle equipped for carrying more than 10 passengers and used for the transportation of persons, other than a taxicab.

BUSINESS DISTRICT. The territory contiguous to and including a street when within any 600 feet along the street there are buildings in use for business or industrial purposes, including but not limited to motels, hotels, banks, or office buildings, and public buildings which occupy at least 300 feet of the frontage on the side or 300 feet collectively on both sides of the street.

CAMPER. Any structure that contains a floor that is designed to be mounted on a motor vehicle and is designed to provide facilities for human habitation or camping, and is six feet or more in over-all length and five and one-half feet or more in height from floor to ceiling at any point and has no more than one axle designed to support a portion of the weight.

CENTER LINE. Single or double continuous or broken yellow or white lines or line marked upon the surface of a roadway to indicate each portion of the roadway allocated to traffic proceeding in two opposite directions and if no line is so painted or otherwise marked, it is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.

CITY COUNCIL. The City Council of this City.

CORROSIVE LIQUID. A strong mineral acid or other corrosive fluid which is liable to cause fire when mixed with chemicals or with other organic matter.

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

CROSSWALK LINE. A single white line, not less than six inches in width, painted on a street marking the outlying limits of a pedestrian crossing.

DIVIDED HIGHWAY. A highway divided into two or more roadways by leaving an intervening space or by physical barrier or by clearly indicated divided section so constructed as to impede vehicular traffic.

DRIVER. Any person who drives or is in actual physical control of a vehicle.

EXPLOSIVES. Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosive and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

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

FIRE DEPARTMENT. The Fire Department serving the City.

FLAMMABLE LIQUID. Any liquid which has a flash point of 70°F. or less, as determined by a closed cup test device or equivalent test.

GROSS LADEN WEIGHT. The weight of a vehicle or combination of vehicles, equipped for operation, to which shall be added the maximum load to be carried thereon.

HOUSE TRAILER. A trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place either permanently or temporarily and is equipped for use as a conveyance on streets and highways, or whose chassis and exterior shell is designed and constructed for use as a house trailer but which is used instead permanently or temporarily for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

INTERSECTION.

- (A) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles, or the area within which vehicles, traveling upon different streets joining at any other angle, come in conflict.
- (B) Where a street includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two roadways 30 feet or more apart, then every crossing of two roadways of such street shall be regarded as a separate intersection.

INTERSTATE COMMERCIAL VEHICLES OR COMMERCIAL VEHICLES. Vehicles used or maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property, and operated in more than one jurisdiction.

LANE LINE. A line other than a center line outlining a traffic lane.

LANED STREET OR HIGHWAY. A street the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE. Every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

MOTOR-DRIVEN CYCLE. Every motorcycle, including every motor scooter, with a motor which produces not to exceed 5 horsepower, and every bicycle with a motor attached.

MOTORCYCLE. Every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground and weighing less than 1250 pounds.

NEUTRAL ZONE. The area or space between two sets of double yellow painted lines, or set apart by physical barrier, to separate traffic lanes for vehicles that move in opposite directions upon any street or highway.

OWNER. A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Code. For purposes of proportional registration, "owner" means a person, other than an agent, engaged in operating a commercial vehicle who is entitled to both exclusive possession and control of such vehicle, actual or constructive, through purchase, contract, lease or other lawful means.

PARK. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers.

PEDESTRIAN. Any person afoot.

PEDESTRIAN STOP LINE. A single white line not less than six inches in width running at right angles to the crosswalk lines at the curb or edge of the roadway.

POLICE DEPARTMENT. The Police Department of this City.

POLICE OFFICER. Every officer of the Police Department or any officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations.

PRIVATE ROAD OR DRIVEWAY. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

RAILROAD SIGN OR SIGNAL. Any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

RESIDENCE DISTRICT. The territory contiguous to and including a street, not comprising a business district, when the property on the street for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

RIGHT OF WAY. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

ROADWAY. That portion of highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or 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.

ROADWAY TRAFFIC ISLAND. A raised area encircled by a roadway which connects two or more thoroughfares and where the traffic movement in the roadway encircling such area proceeds from one thoroughfare to another without angular crossing.

SAFETY ZONE. That area within the crosswalk for the exclusive use of pedestrians, bounded on two sides by the crosswalk lines and on the other two sides by yellow lines or by physical barriers, or otherwise so protected, marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SCHOOL BUS. A motor vehicle with motive power, designed to carry ten or more passengers which at any time could be used exclusively to transport school children, and students to and from school, provided that such transportation service is sponsored and approved by the local Board of Education. This definition includes vehicles owned by a public or governmental agency as well as vehicles privately owned and operated for compensation. It does not include vehicles that only carry school children along with other passengers as part of the operation of a common carrier under the jurisdiction of the ICC or PUC or those vehicles in informal or intermittent arrangements such as sharing of actual gasoline expense or participation in a car pool for the transportation of children to or from school.

SEMITRAILER. Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests or is carried by another vehicle.

SIDEWALK. That portion of a street or highway, between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

STOP. When required, means complete cessation from movement.

STOP OR LIMIT LINE. A single white line not less than 12 inches in width, behind which vehicles must stop when directed by a police officer or traffic control device.

STOP, STOPPING, OR STANDING. When prohibited, means any stopping or standing 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.

STREET OR HIGHWAY. 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.

TAXICAB. Every motor vehicle of a distinctive color scheme approved by the Chief of Police and used for the purposes of transporting persons within the City for hire and licensed as a taxicab by the City, provided that taxicab as herein defined shall not include buses with a seating capacity of ten persons or more.

THROUGH STREET OR HIGHWAY. Every street, or portion thereof, at the entrances to which vehicular traffic from intersecting streets is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this Title.

TRAILER. Every vehicle with or without motive power other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC CITATION. A form notifying a violator to appear at a court or traffic violators' bureau and to answer to a charge of violating a traffic law or code.

TRAFFIC CONTROL DEVICES OR OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, traffic markings and devices not inconsistent with this Title or the manual on Uniform Traffic Control Devices of the State, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

TRAFFIC CONTROL SIGNALS OR OFFICIAL TRAFFIC CONTROL SIGNALS. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

TRAFFIC LANE. A strip of roadway intended to accommodate the forward movement of a single line of vehicles.

TRAFFIC MARKINGS. All lines, patterns, words, colors, or other devices, except signs, set into the surface of, applied upon or attached to the pavement or curbing, or to objects within or adjacent to the roadway officially placed for the purpose of regulating, warning or guiding traffic.

TRUCK. Every motor vehicle designed, used, or maintained primarily for the transportation of property.

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

U TURN. Turning a vehicle so as to proceed in the opposite direction of travel on the same street.

VIOLATOR. A person who violated or is alleged to have violated any provision of this Title or motor vehicle laws of this City, or of the State.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks. (1971)

CHAPTER 2
TRAFFIC ADMINISTRATION

- 11-2-1: Duty of Police Department**
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11-2-1: DUTY OF POLICE DEPARTMENT. It shall be the duty of the Police Department to enforce the street traffic regulations of the City and all of the State vehicle laws applicable to street traffic in the City, to make arrests for traffic violations, to investigate accidents, and to cooperate with the officials 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 specifically imposed upon the Police Department by the Ordinances of the City. (1979)

11-2-2: FORMS AND RECORDS OF TRAFFIC CITATIONS AND ARRESTS. The City shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances in the Justice Court of this City. Said books shall include serially-numbered sets of citations in triplicate in the form prescribed and approved jointly by the City Justice and the Chief of Police. (1979)

11-2-3: ISSUANCE OF FORMS. The City shall issue such books to the Chief of Police or his duly authorized agent, and shall maintain a record of every book so issued and shall require a written receipt for every such book.

The Chief of Police shall be responsible for the issuance of such books to individual members of the Police Department. The Chief of Police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein. (1979)

11-2-4: RECORDS OF TRAFFIC VIOLATIONS.The Police Department may keep such records of local violations of the traffic ordinances of this City or of the State vehicle laws of which any person has been charged as the Chief of Police shall determine necessary and advisable as an aid to traffic regulation or enforcement. (1979)

11-2-5: INVESTIGATION OF ACCIDENTS.The members of the Police Department shall investigate traffic accidents, arrest those persons charged with the violation of law causing or contributing to accidents, and assist in the prosecution of such persons. (1979)

11-2-6: TRAFFIC ACCIDENT REPORTS. The Police Department shall receive and properly file all accident reports made to it under State law or under the Ordinances of the City, but all such accident reports made by drivers shall be for the confidential use of the Police Department or City Traffic Engineer, and no such reports shall be admissible in any civil or criminal proceedings, other than upon the request of the court having jurisdiction to prove compliance with the laws requiring the making of any such report. (1979)

11-2-7: DRIVERS' FILES.The Police Department may maintain such records of local traffic accidents, warnings, arrests, convictions, or complaints reported as the Chief of Police shall determine reasonable and necessary to assist in the enforcement of the traffic laws of the City.

The Police Department may also, as the Chief of Police may determine necessary, study the cases of drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and attempt to discover the reason for all such accidents. If reasonable, the Police Department shall take whatever steps are lawful to have suspended or revoked the licenses of such drivers. (1979)

11-2-8: CITY TRAFFIC ENGINEER. Any and all references in this Code to the "City Traffic Engineer" shall be deemed to mean the Chief of Police or such other person as he shall designate with the approval of the City Council. The City Council shall provide the City Traffic Engineer with such assistance as may be necessary for the proper performance of the functions of this office. (1979)

11-2-9: STOP SIGNS AT THROUGH STREETS.Whenever any ordinance of the City designates and describes a through street, it shall be the duty of the Chief of Police to place and maintain a stop sign on each and every street intersecting such through street unless traffic control signals are being maintained at such intersections; provided, however, that at the intersection of two 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 Chief of Police. (1979)

11-2-10: AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES. The Chief of Police shall place and maintain such traffic control devices as may be required by the Ordinances of this City or, subject to approval of the City Council, as he may deem necessary to regulate, guide or warn traffic under the Traffic Ordinances of this City.

The Chief of Police shall place and maintain 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 place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the Traffic Ordinances of the City or under State law or to guide or warn traffic.

All traffic-control signs, signals and devices shall conform to the manual and specifications approved by the State Road Commission. 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 City Ordinances shall be official traffic-control devices. (1979)

11-2-11: AUTHORITY TO DESIGNATE CROSSWALKS AND TRAFFIC LANES. The Chief of Police is hereby authorized:

- (A) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.
- (B) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the Traffic Ordinances of the City.
- (C) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (1979)

11-2-12: AUTHORITY TO DESIGNATE HAZARDOUS OR CONGESTED PLACES. The Chief of Police is hereby authorized to determine and designate by proper signs areas, not exceeding 100 feet in length, in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. (1979)

11-2-13: AUTHORITY TO ENFORCE TEMPORARY REGULATIONS.

- (A) The Chief of Police is hereby empowered to make regulations necessary to make effective the provisions of the Traffic Ordinances of the City and to make and enforce temporary or experimental regulations to cover the emergency or special conditions. No such temporary or experimental regulations shall remain in effect for more than 90 days.
- (B) The Chief of Police may test traffic control devices under actual conditions of traffic. (1979)

11-2-14: AUTHORITY TO ESTABLISH TURNING MARKINGS. The Chief of Police is authorized to place islands, markers, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course shall be traveled irrespective of any other provisions of this Title.

The Chief of Police is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted. (1979)

11-2-15: AUTHORITY TO LIMIT PARKING TIME. The City Council may cause proper signs or traffic markings to be erected or placed upon any street in this City limiting the time a vehicle may remain parked on such street. (1979)

11-2-16: AUTHORITY TO PERMIT ANGLE PARKING. The Chief of Police shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any Federal-aid or State highway within this City unless the State Road Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or upon any tracks. (1979)

11-2-17: PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB. The Chief of Police 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 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. It shall be a Class C misdemeanor for any permittee or other person to violate any of the special terms or conditions of any such permit. (1979)

CHAPTER 3

ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

11-3-1: Required Obedience to Traffic Rules and Regulations

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11-3-1: REQUIRED OBEDIENCE TO TRAFFIC RULES AND REGULATIONS. Except as otherwise specified, it shall be a Class B misdemeanor for any person to do any act forbidden or fail to perform any act required by this Title. (1979)

11-3-2: OBEDIENCE TO POLICE OFFICERS. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic. Any driver who, having received a visual or audible signal from a police officer to bring his vehicle to a stop, operates his vehicle in willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or any other vehicle or person, or who increases his speed and attempts to flee or elude the police shall be guilty of a Class B misdemeanor. (1979)

11-3-3: PERSONS PROPELLING PUSH CART OR RIDING ANIMALS. Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this Title applicable to the driver of any vehicle, except those provisions of this Title which by their very nature can have no application. (1979)

11-3-4: USE OF COASTERS OR ROLLER SKATES. No person upon roller skates or riding in or by means of any coaster, sled, toy wagon, scooter, skate board, or similar device, shall go upon any roadway except while crossing such roadway on a crosswalk, and when so crossing, such person shall be subject to all of the duties applicable to pedestrians. (1979)

11-3-5: PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS.

(A) The provisions of this Title shall apply to the drivers of all vehicles owned or operated by the United States, the State of Utah, or any political subdivision of the State, and it shall be unlawful for said drivers to violate any of the provisions of this Title, except as otherwise permitted herein.

(B) The provisions of this Title shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street, but

shall apply to such persons and vehicles when traveling to or from such work.
(1979)

11-3-6: AUTHORIZED EMERGENCY VEHICLES--APPLICABILITY AND EXCEPTIONS.

- (A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or 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 title.
 - (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 if such driver does not endanger life or property.
 - (4) Disregard regulations governing direction of movement or turning in specified directions.
- (C) Said exemption herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.
- (D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor protect the driver from the consequences of an arbitrary exercise of the privileges declared in this Section. (1979)

11-3-7: 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 the State of Utah, 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. (1979)

11-3-8: RIGHT OF REAL PROPERTY OWNER TO REGULATE TRAFFIC. Nothing in this Title shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from prohibiting such use, or from requiring other or different or additional conditions than those specified in this Title or otherwise regulating such use as may seem best to such owner. (1979)

11-3-9: REMOVAL OF OBSTRUCTIONS IMPAIRING VIEW. The Police Department may remove from any street, gutter, sidewalk, or any other City-owned or controlled

property all brush, foliage and other obstructions which interfere with or impair the view of an intersection or a railroad grade crossing or which create a traffic hazard. (1979)

11-3-10: DUTY OF OWNER TO REMOVE OBSTRUCTIONS IMPAIRING VIEW -- PENALTY.

- (A) It shall be the duty of the owner of real property to remove from such property any tree, plant, shrub or other obstruction, or part thereof, which, by obstructing the view of any driver, constitutes a traffic hazard.
- (B) When the City Council determines, upon the basis of an engineering and traffic investigation, that such a traffic hazard exists, it shall notify the owner and order that the hazard be removed within 10 days.
- (C) The failure of the owner to remove such traffic hazard within 10 days shall constitute an infraction, and every day said owner shall fail to remove it shall be a separate and distinct offense. (1979)

CHAPTER 4

QUALIFICATIONS OF DRIVER (See Chapter 2, Title 41, UCA 1953)

- 11-4-1: **Driving While Under the Influence of Alcohol or Drug--Presumption Arising from Alcoholic Content of Blood**
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- 11-4-1: **DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUG WITH BLOOD ALCOHOL CONTENT OF .08% OR GREATER--PENALTIES.**(See Traffic, D.U.I.)(See Traffic, D.U.I.)(See Traffic, D.U.I.)
 - (A) It is unlawful and punishable as provided in this Section for any person with a blood alcohol content of .08 or greater by weight, or who is under the influence of alcohol, or any drug, or the combined influence of alcohol and any drug to a degree which renders the person incapable of safely driving a vehicle, to drive or be in actual physical control of a vehicle within this City. The fact that a person charged with violating this Section is or has been legally entitled to use alcohol or a drug does not constitute a defense against any charge of violating this Section.
 - (B) Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred cubic centimeters of blood.

- (C) Every person who is convicted the first time of a violation of Subsection (A) of this Section shall be punished by imprisonment for not less than 60 days nor more than six months, or by a fine not exceeding \$1000.00, or by both such fine and imprisonment; except that if the person has inflicted a bodily injury upon another as a proximate result of having operated the vehicle in a negligent manner, he shall be guilty of a Class A misdemeanor and shall be punished by imprisonment in the County Jail for not more than one year, and, in the discretion of the Court, by a fine not more than \$1000.00. For the purpose of this Section, the standard of negligence is that of simple negligence, the failure to exercise that degree of care which ordinarily reasonable and prudent persons exercise under like or similar circumstances.
- (D) In addition to the penalties provided for in Subsection (C), the Court shall, upon a first conviction, impose a mandatory jail sentence of not less than 48 consecutive hours, nor more than 10 days, with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than two nor more than 10 days, and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and education educational series at a licensed alcohol rehabilitation facility.
- (E) Upon a Second conviction within five years after a first conviction under this Section or Section 41-6-44, Utah Code Annotated 1953, as amended, or under a local Ordinance similar to this Section adopted in compliance with Subsection 41-6-43(1) of said Utah Code Annotated, the Court shall, in addition to the penalties provided for in Subsection (C), impose a mandatory jail sentence of not less than 48 consecutive hours nor more than 10 days with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than 10 nor more than 30 days and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility and the Court may, in its discretion, order the person to obtain treatment at an alcohol rehabilitation facility. Upon a subsequent conviction within five years after a second conviction under this Section, or said Section 41-6-44 UCA or under a local Ordinance similar to this Section adopted in compliance with Subsection 41-6-43(1) of said Utah Code, the Court shall, in addition to the penalties provided for in Subsection (C), impose a mandatory jail sentence of not less than 30 nor more than 90 days with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work project for not less than 30 nor more than 90 days and, in addition to the jail sentence or work in the community-service work program, order the person to obtain treatment at an alcohol rehabilitation facility. No portion of any sentence imposed under Subsection (D) shall be suspended and the convicted person shall not be eligible for parole or probation until such time as any sentence imposed under this Section has been served. Probation or parole resulting from a conviction for a violation of this Section shall not be terminated and the Utah Department of Public Safety shall not reinstate any license suspended or revoked as a result of such conviction, if it is a second or subsequent such conviction within five years, until and unless the convicted person has furnished evidence satisfactory to the Department that all fines and fees, including fees for restitution, and rehabilitation costs, assessed against the person have been paid.
- (F) The provisions in Subsections (D) and (E) that require a sentencing Court to order a convicted person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility, obtain, in the discretion of the Court, treatment at an alcohol rehabilitation facility, or obtain, mandatorily, treatment at an alcohol rehabilitation facility, or do any combination of those things, apply to a conviction for a violation of Section 11-13-1 of these Revised Ordinances that qualifies as a prior offense under Subsection (G), so as to require the Court to render the same order regarding education or treatment at an alcohol rehabilitation facility, or both, in connection with a first, second, or subsequent conviction under Section 11-13-1 that qualifies as a prior offense under Subsection (G), as he would

render in connection with applying respectively, the first, second, or subsequent conviction requirements of Subsections (D) and (E). For purposes of determining whether a conviction under Section 11-13-1 which qualified as a Prior conviction under Subsection (G) is a first, second, or subsequent conviction under this Subsection, a previous conviction under either this Section or Section 11-13-1 is deemed a prior conviction. Any alcohol rehabilitation program and any community-based or other education program provided for in this Section must be approved by the Department of Social Services.

- (G) When the prosecution agrees to a plea of guilty or no contest to a charge of a violation of Section 11-13-1 or of an Ordinance enacted pursuant to Subsection 41-6-43(B), Utah Code Annotated 1953, as amended, in satisfaction of, or as a substitute for, an original charge of a violation of this Section, the prosecution shall state for the record a factual basis for the plea, including whether or not there had been consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense. The statement shall be an offer of proof of the facts which show whether or not there was consumption of alcohol or drugs, or a combination of both, by the defendant, in connection with the offense.

The Court shall advise the defendant before accepting the plea offered under this Subsection of the consequences of a violation of Section 11-13-1 as follows: If the Court accepts the defendant's plea of guilty or no contest to a charge of violating Section 11-13-1 and the prosecutor states for the record that there was consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense, the resulting conviction shall be a prior offense for the purposes of Subsection (E) of this Section.

The Court shall notify the Department of Public Safety of each conviction of Section 11-13-1 which shall be a prior offense for the purposes of Subsection (E) of this Section.

- (H) A peace officer may, without a warrant, arrest a person for a violation of this Section when the violation is coupled with an accident or collision in which the person is involved and when the violation has, in fact, been committed, although not in his presence, if the officer has reasonable cause to believe that the violation was committed by the person.
- (I) The Department of Public Safety shall suspend for a period of 90 days the Operator's License of any person convicted for the first time under Subsection (A) of this Section, and shall revoke for one year the License of any person otherwise convicted under this Section, except that the Department may subtract from any suspension period the number of days for which a License was previously suspended under Section 11-4-3(B), if the previous suspension was based on the same occurrence which the record of conviction is based upon. (1979)

11-4-2: DRIVING WHILE INTOXICATED--CHEMICAL TEST AS EVIDENCE.

- (A) In any action or proceeding in which it is material to prove that a person was driving under the influence of alcohol, or with a blood alcohol content prohibited statutorily, or by these Revised Ordinances, the result of a chemical test or tests as authorized in Section 11-4-3 shall be admissible as evidence.
- (B) If the chemical test was taken within two hours of the alleged driving or actual physical control, the blood alcohol level of the person at the time of the alleged driving or actual physical control shall be presumed to be not less than the level of the alcohol determined to be in the blood by the chemical test.
- (C) If the chemical test was taken more than two hours after the alleged driving or actual physical control, the test result shall be admissible as evidence of the person's blood alcohol level at the time of the alleged driving or actual physical control, but the trier of fact shall determine what weight shall be given to the result of the test.

- (D) The foregoing provisions of this Section shall not prevent a Court from receiving otherwise admissible evidence as to a defendant's blood alcohol level at the time of the alleged driving or actual physical control. (1979)

11-4-2: COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH STANDARDS--PROOF OF BLOOD ALCOHOL CONTENT.

- (A) The Commissioner of Public Safety shall establish standards for the administration and interpretation of chemical analysis of a person's breath, including standards of training.
- (B) In any action or proceeding in which it is material to prove that a person was driving or in actual physical control of a vehicle while under the influence of alcohol or driving with a blood alcohol content statutorily or by these Revised Ordinances prohibited, documents offered as memoranda or records of acts, conditions or events to prove that the analysis was made and the instrument used was accurate, according to standards established in Subsection (A) shall be admissible if:
 - (1) The Judge finds that they were made in the regular course of the investigation at or about the time of the act, condition or event; and
 - (2) The source of information from which made and the method and circumstances of their preparation were such as to indicate their trustworthiness.
- (C) If the Judge finds that the standards established under Subsection (A) and the conditions of Subsection (B) have been met, there is a presumption that the test results are valid and further foundation for introduction of the evidence is unnecessary. (1979)

11-4-3: IMPLIED CONSENT TO CHEMICAL TESTS--REFUSAL--WARNING--COURT ACTION ON REVOCATION--PERSON INCAPABLE--RESULTS OF TEST--WHO MAY GIVE--EVIDENCE.

- (A) Any person operating a motor vehicle in this City shall be deemed to have given his consent to a chemical test or tests of his breath, blood, or urine for the purpose of determining whether he was driving or in actual physical control of a motor vehicle while having a blood alcohol content statutorily prohibited, or while under the influence of alcohol, any drug, or combination of alcohol and any drug, as detailed in Section 11-4-1 of these Revised Ordinances, so long as the test is or tests are administered at the direction of a peace officer having grounds to believe that person to have been driving or in actual physical control of a motor vehicle while having a blood alcohol content statutorily prohibited, or while under the influence of alcohol, any drug, or combination of alcohol and any drug as detailed in Section 11-4-1. A peace officer shall determine which of the aforesaid tests shall be administered.

No person who has been requested under this Section to submit to a chemical test or tests of his breath, blood, or urine, shall have the right to select the test or tests to be administered. The failure or inability of a peace officer to arrange for any specific test is not a defense with regard to taking a test requested by a peace officer and it shall not be a defense in any criminal, civil or administrative proceeding resulting from a person's refusal to submit to the requested test or tests.

- (B) If the person has been placed under arrest and has thereafter been requested by a peace officer to submit to any one or more of the chemical tests provided for in Subsection (A) of this Section and refused to submit to the chemical test or tests, the person shall be warned by a peace officer requesting the test or tests that a refusal to submit to the test or tests can result in revocation of his License to operate a motor vehicle. Following this warning, unless the person immediately

requests the chemical test or tests as offered by a peace officer be administered, no test shall be given and a peace officer shall submit a sworn report, within five days after the date of the arrest, that he had grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle while having a blood alcohol content statutorily prohibited or while under the influence of alcohol or any drug or combination of alcohol and any drug, as detailed in Section 11-4-1 and that the person had refused to submit to a chemical test or tests as set forth in Subsection (A) of this Section. Within 20 days after receiving a sworn report from a peace officer to the effect that the person has refused a chemical test or tests the Department of Public Safety shall notify the person of a hearing before the Department. If at that hearing the Department determines that the person was granted the right to submit to a chemical test or tests and refused to submit to the test or tests, or if the person fails to appear before the Department as required in the notice, the Department shall revoke for one year his license or permit to a chemical test in addition to the test or tests administered at the direction of a peace officer. The failure or inability to obtain such additional test shall not affect admissibility of the result of the test or tests taken at the direction of a peace officer, nor preclude nor delay the test or tests to be taken at the direction of a peace officer. Such additional test shall be subsequent to the test or tests administered at the direction of a peace officer.

- (G) For the purpose of determining whether to submit to a chemical test or tests, the person to be tested shall not have the right to consult an attorney nor shall such a person be permitted to have an attorney, physician, or other person present as a condition for the taking of any test.
- (H) If a person under arrest refuses to submit to a chemical test or tests under the provisions of this Section, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of alcohol or any drug or combination of alcohol and any drug. (1979)

11-4-3A: IMPOUNDMENT OF VEHICLES. The City Council finds that it is contrary to the safety of the public to leave vehicles unattended on public roads.

- (A) If a Category I peace officer arrests or cites the driver of a vehicle for violation of Sections 11-4-1, 11-4-3, or 11-13-1, the officer shall seize and impound the vehicle.
- (B) Any such officer who impounds a vehicle under this Section shall remove, or cause the vehicle to be removed, to the nearest accessible impound yard that meets the standards set by rule by the State Department of Motor Vehicles, or if none, to a garage or some other reasonably safe place. The impound yard standards set by the Department of Motor Vehicles shall be fair and reasonable and shall be unrestrictive as to number of impound yards per geographical area. The peace officer or agency by whom such officer is employed shall, not later than three days after the seizure, cause notice of the seizure and impoundment to be mailed to the Department of Motor Vehicles. The notice shall set forth the driver's name, a description of the vehicle, its identification number, if any, its license number, the date, time, and place of impoundment, the reason for impoundment, and the name of the garage or place where the vehicle is stored.
- (C) Upon receipt of notice, the Department of Motor Vehicles shall give notice to the registered owner of the vehicle in the manner prescribed by Section 41-1-16, Utah Code Annotated 1953, as amended, and otherwise proceed with respect to said impoundment as provided in Section 41-6-44.30 of said Utah Code Annotated.
- (D) No liability shall be imposed upon any peace officer or the City, State, or any of its political subdivisions on account of the enforcement of this Section. (1979)

11-4-3B:

WARNING CONCERNING CHEMICAL TEST--SERVICE OF NOTICE OF DEPARTMENT'S INTENT TO SUSPEND DRIVING PRIVILEGE--NOTICE TO DEPARTMENT--HEARING--ISSUANCE OF THIRTY-DAY LICENSE.

- (A) When a peace officer has reasonable grounds to believe that a person may be violating or has violated Section 11-4-1, the peace officer may, in connection with his arrest of the person, request the person to submit to a chemical test to be administered in compliance with the standards set forth in Section 11-4-3.
- (B) The peace officer shall advise a person prior to the person's submission to a chemical test that results indicating .08% or more by weight of alcohol in the blood shall, and the existence of a blood alcohol content sufficient to render the person incapable of safely driving a vehicle can, result in suspension or revocation of the person's License or privilege to operate a motor vehicle.
- (C) If the person submits to that chemical test and the results indicate a blood alcohol content of .08% or more, or if the officer makes a determination, based on reasonable grounds to believe that the determination is correct, that the person is otherwise in violation of Section 11-4-1, the officer directing administration of the test or making the determination shall serve on the person, on behalf of the Utah Department of Public Safety, immediate notice of the Department's intention to suspend the person's privilege or License to drive. If the officer serves that immediate notice on behalf of the Department, he shall take the Utah Driver's License or certificate or permit, if any, of the driver, issue a temporary License effective for only 30 days, and supply to the driver, on a form to be approved by the Department, basic information regarding how to obtain a prompt hearing before the Department. A citation issued by the officer may, if approved as to form by the Department, serve also as the temporary License.
- (D) The peace officer serving the notice shall send to the Department, within five days after the date of arrest and service of the notice, the person's License along with a copy of the citation issued regarding the offense, and a sworn report indicating the chemical test results, if any, and any other basis for the officer's determination that the person has violated Section 11-4-1, and the officer's belief regarding the person's violation of Section 11-4-1. Each such report shall be on a form approved by the Department and shall be endorsed by the police chief or his equivalent or by a person authorized by him, other than the officer serving the notice.
- (E) Upon written request of a person who has been issued a 30-day License, the Department shall grant to the person an opportunity to be heard within 30 days after the date of arrest and issuance of the 30-day License, but the request must be made within 10 days of the date of the arrest and issuance of the 30-day License. A hearing, if held, shall be before the Department in the county in which the arrest occurred, unless the Department and the person agree that the hearing may be held in some other county. The hearing shall be documented and its scope shall cover the issues of whether a peace officer had reasonable grounds to believe the person to have been operating a motor vehicle in violation of Section 11-4-1, whether the person refuses to submit to the test, and the test results, if any. In connection with a hearing the Department or its duly authorized agent may administer oath and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers. One or more members of the Department may conduct the hearing, and any decision made after a hearing before any number of the members of the Department shall be as valid as if made after a hearing before the full membership of the Department. After the hearing, the Department shall order, either that the person's License or privilege to drive be suspended or that it not be suspended. A first suspension, whether ordered or not challenged under this Subsection, shall be for a period of 90 days, beginning on the 31st day after the date of the arrest. A second or subsequent suspension under this Subsection shall be for a period of 120 days, beginning on the 31st day after the date of arrest. The Department shall assess against a person, in addition to any fee imposed under Subsection 41-2-8(7), Utah Code Annotated 1953, as

amended, a fee of \$25.00, which must be paid before the person's driving privilege is reinstated, to cover administrative costs, and which fee shall be cancelled if the person obtains an unappealed Department-hearing or Court decision that the suspension was not proper. A person whose License has been suspended by the Department under this Subsection may file a petition within 30 days after the suspension for a hearing in the matter which, if held, shall be governed by the provisions of Section 41-2-20, said Utah Code Annotated. (1979)

- 11-4-3C: SNOWMOBILES AND ALL-TERRAIN VEHICLES.** It is unlawful for any person who is under the influence of intoxicating liquor or any narcotic drugs to drive or be in actual physical control of any recreation vehicle within this City. Violators will be subject to all procedures, implied consent, presumptions and punishment, provisions of the Motor Vehicle Act of the State of Utah and Sections 11-4-1 and 11-4-3, except Subsection 11-4-3(C), of these Revised Ordinances. It is also unlawful and punishable under the provisions of Subsection 11-4-1(C) for any person, after being placed under arrest for violation of this Section, to refuse to submit to any one of the chemical tests provided for. (1979)
- 11-4-3D: VICTIM RESTITUTION.** A fee of \$100.00 shall be imposed against each person who violates Section 11-4-1 or a Section establishing a criminal prohibition that the person was charged with violating as a result of a plea bargain after having been originally charged with violating said Section 11-4-1, in addition to any fines and any other fees imposed, and shall be collected by the Court and placed in the general fund to be administered in accordance with the requirements of Chapter 25, Title 41, Utah Code Annotated 1953, as amended. (1979)
- 11-4-4: PERMITTING USER OF DRUGS OR INTOXICATED PERSON TO USE VEHICLE.** It shall be unlawful for the owner of any motor vehicle or any person having such in charge to permit the same to be driven or operated on any street by any person who is an habitual user of drugs, or by any person who is under the influence of alcohol or any drugs, or the combined influence of alcohol and any drug. (1979)
- 11-4-5: USER OF DRUGS OR INTOXICATED PERSON IN OR ABOUT VEHICLE.** It shall be unlawful for any person under the influence of alcohol or drugs, or the combined influence of alcohol and any drug, to be in or about any vehicle with the intention of driving or operating such vehicle. (1979)
- 11-4-6: DRINKING IN VEHICLE.** It shall be unlawful for any person to drink any alcohol while in a motor vehicle on the streets or alleys of this City. (1979)
- 11-4-7: DRIVER MUST HAVE DRIVER'S LICENSE.** It shall be unlawful for any person to drive a motor vehicle upon the streets of this City unless such person has in his immediate possession a valid operator's license or chauffeur's license issued by the State of Utah or by his home state or country, if such operator's license or chauffeur's license is required of such person under the laws of his home state or country, and displays the same upon demand of a police officer or Justice of the Peace of this City; provided, however, that it shall be a defense to any charge under this Section that the person so charged produce in Court an operator's license or chauffeur's license as above required theretofore issued to such person and valid at the time of his arrest. (1979)
- 11-4-8: DRIVING BEYOND LIMITED LICENSE PRIVILEGES.** It shall be unlawful for any person to drive a motor vehicle upon the streets of this City in any manner in violation of the restrictions imposed in a restricted operator's license or chauffeur's license granted to him by the State of Utah or by his home state or country. (1979)
- 11-4-9: VIOLATION OF LICENSE PROVISIONS.** It shall be unlawful for any person to commit any of the following:

- (A) To display or cause or permit to be displayed or to have in possession any operator's or chauffeur's license knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.
- (B) To lend to, or knowingly permit the use of, by one not entitled thereto, any operator's or chauffeur's license issued to the person so lending or permitting the use thereof.
- (C) To display or to represent as one's own any operator's or chauffeur's license not issued to the person so displaying the same.
- (D) To fail or refuse to surrender to the Department upon demand, any operator's or chauffeur's license which has been suspended, cancelled or revoked as provided by law.
- (E) To use a false or fictitious name or give a false or fictitious address in any application for an operator's or chauffeur's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application. (1979)

11-4-10: UNLAWFUL TO DRIVE WHILE LICENSE SUSPENDED OR REVOKED. Any person whose operator's license has been suspended or revoked, as provided by law, and who shall drive any motor vehicle upon the highways of this City while such license is suspended or revoked, shall be guilty of a Class B misdemeanor, and shall be punished as follows:

- (A) A person convicted of a violation of this Section, other than a violation specified in Subsection (B) hereof, shall be punished by imprisonment in the County or municipal jail for a period of not more than six months, and there may be imposed, in addition thereto, a fine of not more than \$1000.00
- (B) A person whose conviction under this Section is based on his driving while his operator's or chauffeur's license is suspended or revoked for a violation of Section 41-6-44, a Local Ordinance which complies with the requirements of Section 41-6-43, Section 41-6-44.10, or Section 76-5-207, Utah Code Annotated 1953, as amended, or a criminal prohibition that the person was charged with violating as a result of a plea bargain after having been original charged with violating one or more of those Sections or Ordinances, is guilty of a lass A misdemeanor and shall be punished by a fine of not less than the maximum fine for a Class B misdemeanor, but not more the \$2500.00, or by imprisonment for not more than one year, or by both such fine and imprisonment, and shall be referred to Davis County for prosecution under State Statutes. (1986)

11-4-11: INCOMPETENT DRIVERS. No person shall drive a motor vehicle upon any street or alley within this City who:

- (A) Is under the age of 16 years.
- (B) Has been determined by the Driver's License Division of the State to be an habitual drunkard, or is an habitual user of narcotic drugs, or is an habitual user of any other drug to a degree which renders him incapable of safely driving a motor vehicle.
- (C) Has previously been adjudged mentally incompetent and who has not at the time of said driving been restored to competency by the methods provided by law.
- (D) Is afflicted with or suffering from any such physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same, or who is unable to understand highway warning or direction signs in the English language. (1979)

- 11-4-12: UNLAWFUL TO DRIVE WHILE IMPAIRED.** No person shall drive or operate a vehicle while his ability or alertness is so impaired through fatigue, illness or any other cause as to make it unsafe for such person to drive or operate a vehicle. (1979)
- 11-4-13: OPERATION OF VEHICLE WITHOUT SECURITY.** Any owner of a motor vehicle with respect to which a security is required under the Utah Automobile No-Fault Insurance Act (Title 31, Utah Code Annotated 1953, as amended), who operates the vehicle or permits it to be operated on a public highway in this City without this security being in effect is guilty of a Class B misdemeanor. Any other person who operates such motor vehicle upon a public highway in this City with the knowledge that the owner does not have such security in effect is also guilty of a Class B misdemeanor. (See Section 31-41-13 and Chapter 41, Title 31, UCA 1953.) (1979)
- 11-4-14: PERMITTING INCOMPETENT DRIVERS TO DRIVE** No owner or person in control of a vehicle shall authorize or knowingly permit said vehicle to be operated by any person who is less than 16 years old, or who is physically or mentally disabled to such an extent that such person's judgment or driving ability is impaired, or who has no legal right to do so or in violation of any of the provisions of this Title. (1979)
- 11-4-15: PERMITTING DRIVER TO UNLAWFULLY OPERATE VEHICLE.** No owner, or any other person, employing or otherwise directing the driver of any vehicle shall require or knowingly permit the operation of such vehicle upon a street in any manner contrary to law. (1979)
- 11-4-16: PERMITTING UNLICENSED MINOR TO DRIVE.** No person shall cause or knowingly permit any minor under the age of 18 years to drive a motor vehicle upon a street within this City as an operator, unless such minor shall have first obtained a license to so drive a motor vehicle as required by law. (1979)
- 11-4-17: MOTORCYCLE OPERATORS--LICENSE REQUIREMENTS.** No person shall operate a motorcycle upon a street or alley within this City which is required to be registered and licensed as a motor vehicle in the State of Utah without having in his possession a license to operate said motorcycle as required by law. A violation of this Section is a Class B misdemeanor. (See Section 41-2-11.5 UCA 1953.) (1979)

CHAPTER 5

CONDITION OF VEHICLE

(See Chapter 15, Title 41, and Sections 41-6-124.5 through 41-6-158 UCA 1953)

11-5-1: Equipment Must be in Proper Condition

11-5-2: Obstructions to Vision

11-5-3: Mufflers--Prevention of Noise, Smoke and Fumes

11-5-4: Flags and Lights Necessary with Loads Projecting to the Rear

11-5-5: Safety Chains on Towed Vehicles--Exceptions

11-5-6: Vehicle Modifications--Lowering Body or Chassis Prohibited

11-5-7: Inspection of Vehicles

11-5-8: Registration of Vehicles

11-5-9: Campers--Registration

11-5-1: **EQUIPMENT MUST BE IN PROPER CONDITION.** (See Section 41-6-155 UCA 1953)

(A) No person shall drive, move, stop, or park, nor shall the owner or person in possession cause or knowingly permit any motor vehicle, trailer, semi-trailer, or pole trailer to be driven, moved, stopped, or parked on any street or alley which:

(1) Is in such unsafe condition as to endanger any person or property,

(2) Does not contain those parts or is not at all times equipped with those serviceable lamps, reflectors, brakes, horn and other warning and signaling devices, windows, windshields, windshield wipers, mirrors, mufflers, fenders, tires, and other parts and equipment, in the position, condition, and adjustment meeting the requirements of the laws of the State of Utah as to such parts and equipment.

(3) Is of such size, weight, or condition, or is loaded or equipped in such manner as is in violation of the laws of the State of Utah with respect to such vehicle.

(B) No person shall do any act forbidden or fail to perform any act required by the laws of the State of Utah relating to tires, lamps, brakes, fenders, horns, sirens, whistles, bells, and other parts and equipment, size, weight, and load of any vehicle,

(C) The provisions of this Chapter, with respect to equipment on vehicles, shall not apply to implements of husbandry, road machinery, load rollers, or farm tractors, except as herein made applicable. (1979)

11-5-2: **OBSTRUCTIONS TO VISION**

(A) No person shall drive any motor vehicle with any sign, poster or other non-transparent material upon the front windshield, sidewings, side or rear windows of such vehicle other than a certificate or other paper required to be so displayed by law,

(B) No person shall drive any vehicle when the windshield or any window is broken, shattered or in such a defective condition as to impair the driver's vision, or when

the driver's vision is obstructed by any article or articles suspended or otherwise attached to such motor vehicle.

- (C) No person shall drive any motor vehicle on which any substance or material has been sprayed or applied to any front windshield, sidewings, side or rear windows of such vehicle, or has been allowed to accumulate thereon, when such substance or material reduces the visibility initially provided by the manufacturer,
- (D) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.
- (E) Every windshield wiper upon a motor vehicle shall be maintained in good working order. (1979)

11-5-3: MUFFLERS--PREVENTION OF NOISE, SMOKE AND FUMES.

- (A) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler, cutout, by-pass or similar device upon a motor vehicle on a public street. Said muffler shall be at least as effective in the reduction of the exhaust noises of the vehicle motor as the type of muffler furnished by the manufacturer of said vehicle as standard equipment for the purposes of the first sale at retail of vehicles of the same class.
- (B) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.
- (C) Every motor vehicle which has been equipped by a manufacturer with air pollution control devices must have such devices in good working order and in constant operation. An air pollution control device may be substituted for the manufacturer's original device, provided said device shall be at least as effective in the reduction of emissions from the vehicle motor as the air pollution control devices furnished by the manufacturer of said vehicle as standard equipment for purposes of the first sale at retail of vehicles of the same class. It shall be unlawful for any person to render inoperable on any motor vehicle air pollution control devices. (1979)

11-5-4 FLAGS AND LIGHTS NECESSARY WITH LOADS PROJECTING TO THE REAR.No person shall drive any vehicle with a load or object upon such vehicle extending four feet or more beyond the bed or body of said vehicle without having during the daytime a red flag at least 12 inches square attached at the extreme rear end of the load or object so projecting, and so hung that the entire area is visible to the driver of a vehicle approaching from the rear, or a red light or lantern at the extreme rear of the load or object so projecting during the period of from a half hour after sunset to one hour before sunrise which shall be plainly visible under normal atmospheric conditions at least 500 feet to the sides and rear of such vehicle. (1979)

11-5-5: SAFETY CHAINS ON TOWED VEHICLES--EXCEPTIONS.

- (A) Safety chains on trailers--Every towed vehicle shall be coupled by means of a safety chain, cable or equivalent device, in addition to the regular trailer hitch or coupling.
 - (1) Such safety chain, cable or equivalent device shall be securely connected with the chassis of the towing vehicle, the towed vehicle and the drawbar.
 - (2) It shall be of sufficient material and strength to prevent the two vehicles from becoming separated, and shall have no more slack than is necessary for proper turning,

(3) Such safety chain, cable or equivalent device shall be attached to the trailer drawbar so as to prevent it from dropping to the ground, and to assure the towed vehicle follows substantially in the course of the towing vehicle in case the vehicles become separated.

(4) This requirement does not apply to a semitrailer having a connecting device composed of a fifth wheel and king pin assembly, nor to a pole trailer. (1979)

11-5-6: VEHICLE MODIFICATIONS--LOWERING BODY OR CHASSIS PROHIBITED. No person shall operate a motor vehicle on any highway or road within this City when such vehicle has been mechanically altered or changed to cause the lowest part of the body or chassis to be closer to the ground, or to increase or decrease the distance between the ground and the lowest part of any bumper or other similar impact-absorbing equipment, than it was at the time it was manufactured. The provisions of this Section shall not apply to implements of husbandry, farm tractors, road machinery, or road rollers. (1979)

11-5-7: INSPECTION OF VEHICLES.

(A) No person shall drive, stop or park, nor shall any owner or person in possession cause or knowingly permit to be driven, stopped, or parked on any street or alley within this City any vehicle which is required under the laws of the State of Utah to be inspected, unless such vehicle has been inspected and has attached thereto, in proper position, a valid and unexpired Certificate of Inspection as required by the laws of the State of Utah.

(B) Any peace officer may at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and such test with reference thereto as may be appropriate.

(C) In the event such vehicle and its equipment are found to be in safe condition and in full compliance with the law, the officer making such inspection may issue to the driver an official certificate of inspection and approval of such vehicle, specifying those parts or equipment so inspected and approved.

(D) In the event such vehicle is found to be in unsafe condition, or any required part or equipment is not present or is not in proper repair and adjustment, the officer shall give a written notice to the driver and shall send a copy of the Department. Said notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment, specifying the particulars with reference thereto and that a certificate of inspection and approval be obtained within five days.

(E) No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by an authorized officer of the Department or any peace officer, or fail or refuse to cause said motor vehicle to be placed in safe condition and its equipment in proper repair and adjustment as set forth in the written notice specified in Subsection (D) of this Section, or to obtain a certificate of inspection and approval as required by said notice. (1979)

11-5-8: REGISTRATION OF VEHICLES.

(A) Every vehicle at all times while being driven, stopped or parked upon the streets or alleys of this City, shall be registered in the name of the owner thereof in accordance with the laws of the State of Utah, unless such vehicle is not required by the laws of Utah to be registered in this State, and shall display in proper position valid and unexpired registration plates or indicia of registration, meeting the requirements of the laws of the State of Utah, clear and distinct and free from defacement, mutilation, grease and other obscuring matter, so as to be plainly visible and legible at all times; provided, however, if such vehicle is not required to

be registered in this State, the indicia of registration issued by another State, territory, possession or district of the United States or a foreign Country, substantially complying with the provisions hereof, shall be considered as compliance with these provisions. (See Section 41-1-19 UCA 1953)

- (B) No person shall reprint, mutilate, obscure or in any other manner alter any lawful evidence of registration displayed by any vehicle in this City.
- (C) The current, valid registration certificate of every motor vehicle shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such vehicle who shall display the same upon demand of a police officer.
- (D) It shall be unlawful for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered hereunder which is not registered or for which a Certificate of Title has not been issued or applied for, or for which the appropriate fee has not been paid when and as required by law. (1979)

11-5-9: CAMPERS--REGISTRATION. It is unlawful for any person to operate a motor vehicle with a camper mounted on it in this City unless the camper is currently registered and the appropriate decal attached in plain sight to the rear of the camper, except the nonresident owner of a motor vehicle currently registered and licensed in another state with an out-of-state camper mounted on it. (See Section 41-1-18.5 UCA 1953.) (1979)

CHAPTER 6

ACCIDENTS

(See Sections 41-6-30 through 41-6-39 UCA 1953)

11-6-1 Driver's Duty in Event of Accident--Stop at Scene

11-6-2: Accidents Involving Damage to Vehicle or Other Property

11-6-3: Driver's Duty in Event of Accident--Name--Assistance

11-6-4: Collision With Unattended Vehicle or Other Property

11-6-5: Concealing Identity

11-6-6: Accident Involving Fixtures or Property on or Adjacent to Street

11-6-7: Accidents Involving Injury, Death or Damage of \$200 or More--Duty to Notify Police

11-6-8: Accident Reports--Duty of Driver, Witnesses and Investigating Officer

11-6-9: Physical Incapacity of Driver--Duty of Other Occupants

11-6-10: Contents of Accident Report Forms

11-6-11: Accident to Livestock on Street

11-6-12: Garage Keeper to Report Damaged Vehicle

11-6-13: Accident Reports Confidential

11-6-1: DRIVER'S DUTY IN EVENT OF ACCIDENT--STOP AT SCENE.

(A) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 11-6-3. Every such stop shall be made without obstructing traffic more than is necessary.

(B) Any person failing to stop or to comply with said requirements under such circumstances shall be guilty of a Class B misdemeanor. (1979)

11-6-2: ACCIDENTS INVOLVING DAMAGE TO VEHICLE OR OTHER PROPERTY. The driver of any vehicle involved in an accident resulting only in damage to a vehicle or other property 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 he has fulfilled the requirements of Section 11-6-3. 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 an infraction. (1979)

11-6-3: DRIVER'S DUTY IN EVENT OF ACCIDENT--NAME--ASSISTANCE.

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 name, address, and the registration number of the vehicle he is driving and shall upon request and if available, exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and

shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. (1979)

- 11-6-4: COLLISION WITH UNATTENDED VEHICLE OR OTHER PROPERTY.** The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended which results in damage to the other vehicle or property shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or other property of such driver's name and address and the registration number of the vehicle causing such damage or shall attach securely in a conspicuous place on the vehicle or other property a written notice giving such driver's name and address and the registration number of the vehicle causing such damage. If applicable, the driver shall also give notice as provided in Section 11-6-7. Any person failing to comply with said requirements under such circumstances is guilty of an infraction. (1979)
- 11-6-5: CONCEALING IDENTITY.** No person involved in any accident shall conceal or attempt to conceal his identity, falsely identify himself or give false information to any police officer. (1979)
- 11-6-6: ACCIDENT INVOLVING FIXTURES OR PROPERTY ON OR ADJACENT TO STREET.** The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a street or alley shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his operator's or chauffeur's license and shall make a report of such accident when and as required in Section 6-8 of this Chapter. (1979)
- 11-6-7: ACCIDENTS INVOLVING INJURY, DEATH OR DAMAGE OF \$200 OR MORE-- DUTY TO NOTIFY POLICE.** The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of \$200 or more, shall immediately by the quickest means of communication give notice of such accident to the City Police Department, or if no police officer is available, then to the office of the County Sheriff or to a State trooper. (1979)
- 11-6-8: ACCIDENT REPORTS--DUTY OF DRIVER, WITNESSES AND INVESTIGATING OFFICER.**
- (A) The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$200 or more shall, within five days after such accident, forward a written report of such accident to the Police Department of this City and also to the Financial Responsibility Division of the Department of Public Safety of the State of Utah.
 - (B) The Police Department of this City or the Financial Responsibility Division of the Department of Public Safety of the State of Utah may require any driver of a vehicle involved in an accident of which report must be made as provided in this Section to file supplemental reports whenever the original report is insufficient in the opinion of the Department and may require witnesses of accidents to render reports.
 - (C) Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as required in this Section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses shall, within 24 hours after completing such investigation, forward a written report of such accident to the Financial Responsibility Division of the Department of Public Safety of the State of Utah, and file a copy thereof with the Police Department of this City. (1979)

11-6-9: PHYSICAL INCAPACITY OF DRIVER--DUTY OF OTHER OCCUPANTS.

(A) Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 11-6-7 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give or cause to be given the notice not given by the driver.

(B) Whenever the driver is physically incapable of making a written report of an accident as required by Section 11-6-8 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within five days after learning of the accident make such report not made by the driver.
(1979)

11-6-10: CONTENTS OF ACCIDENT REPORT FORMS. The Police Department shall furnish forms for accident reports required by this Chapter. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose, with reference to the traffic accident, the apparent cause, conditions then existing, and the persons and vehicles involved. (1979)

11-6-11: ACCIDENT TO LIVESTOCK ON STREET.No persons owning, controlling or having the possession of any livestock, shall willfully or negligently permit any such livestock to stray upon or remain unaccompanied by a person in charge or control thereof upon a public street within the limits of this City, both sides of which are adjoined by property which is separated from such street by a fence, wall, hedge, sidewalk, curb, lawn or building. No person shall drive any such livestock upon, over or across any public street during the period from half an hour after sunset to half an hour before sunrise, without keeping a sufficient number of herders with warning lights on continual duty to open the road so as to permit the passage of vehicles. (1979)

11-6-12: GARAGE KEEPER TO REPORT DAMAGED VEHICLE. The person in charge of any garage or repair shop in this City who receives a vehicle which shows evidence of having been involved in an accident for which a written report must be made as provided in Section 11-6-8, or having been struck by any bullet, shall report to the City Police Department if a police officer is available, otherwise to the office of the County Sheriff or the nearest office of the State Highway Patrol, within 24 hours after such vehicle is received by the garage or repair shop, giving the vehicle identification number, registration number, and the name and address of the owner or operator of such vehicle. If a damage vehicle sticker describing the damage is affixed to the vehicle, the person in charge of the garage or repair shop is not obligated to give the notification required by this Section. (1979)

11-6-13: ACCIDENT REPORTS CONFIDENTIAL. All accident reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department within the City and the Financial Responsibility Division of the Department of Public Safety of the State of Utah, or other State agencies having use of the records for accident prevention purposes, except that the Police Department of this City and the Financial Responsibility Division of the Department of Public Safety of the State of Utah may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Police Department of this City or the Financial Responsibility Division of the Department of Public Safety of the State of Utah shall furnish upon demand of any court, a certificate showing that such a specified accident report has or has not been made solely to prove a compliance or a failure to comply with the requirements that such a report be made. (1979)

CHAPTER 7

TURNING MOVEMENTS AND SIGNALS

(See Sections 41-6-66 through 41-6-69 UCA 1953)

11-7-1 Turning--Manner--Traffic Control Devices

11-7-2: Turning Around--When Prohibited

11-7-3: Turning--Signals--Stopping or Sudden Decrease in Speed--Signal Flashings

11-7-4 Signals--Method of Giving--Signal Lamps

11-7-5: Must Turn After Signal

11-7-6: Starting Vehicles

11-7-1: TURNING--MANNER--TRAFFIC CONTROL DEVICES. The driver of a vehicle intending to turn shall do as follows:

- (A) Right Turns--Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
- (B) Left Turns--The driver of a vehicle intending to turn left shall approach the turn from the extreme left-hand land lawfully available to traffic moving in the direction of travel of such vehicle. Whenever practicable, the left turn shall be made to the left of the center of the intersection so as to leave the intersection or other location in the extreme left-hand lane lawfully available to traffic moving in the same direction as such vehicle on the roadway being entered.
- (C) The Chief of Police may place official traffic control devices at intersections indicating the course to be traveled by vehicles turning thereat, and no driver of a vehicle shall disobey the direction of such indications.
- (D) Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic-control devices:
 - (1) A left turn shall not be made from any other lane.
 - (2) A vehicle shall not be driven in the lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a U-turn when otherwise permitted by law. (1979)

11-7-2: TURNING AROUND--WHEN PROHIBITED.

- (A) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with or delaying other traffic.
- (B) No vehicle shall be turned so as to proceed in the opposite direction upon any one-way street, any bridge or viaduct or curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet. (1979)

11-7-3: TURNING--SIGNALS--STOPPING OR SUDDEN DECREASE IN SPEED--SIGNAL FLASHINGS.

- (A) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in Section 11-7-1, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement,
- (B) A signal of intention to turn right or left or to change lanes shall be given continuously for at least the last three seconds preceding the beginning of the run or change.
- (C) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give such a signal.
- (D) The signals required on vehicles by Section 7-4 shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this Section. (1979)

11-7-4: SIGNALS--METHOD OF GIVING--SIGNAL LAMPS.

- (A) The signals herein required shall be given either by means of the hand and arm outside the left side of the vehicle or by a signal of a type approved by the State Road Commission, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle, then said signals must be given by such lamp or device.
- (B) 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.
 - (4) Re-entering moving traffic land from parked position. Hand and arm extended horizontally.
 - (5) Changing Lanes. Same as (1) or (2) above, depending on direction of change.
- (C) The opening of a door of a vehicle shall not constitute a signal as required by this Title.
- (D) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles. (1979)

11-7-5: MUST TURN AFTER SIGNAL. After the driver of any vehicle shall give or cause to be given any signal which would indicate to other traffic said driver's intention to turn, he must not fail to make such turn nor fail to yield the right-of-way to all other traffic that would be affected by his failure to complete such indicated turn. (1979)

11-7-6: **STARTING VEHICLES.** No person shall move a vehicle which is stopped, standing, or parked on a street into a moving traffic lane without given the signal prescribed in Section 11-7-4, nor until such movement can be made with reasonable safety, and must give moving vehicles the right-of-way. (1979)

CHAPTER 8

RIGHT OF WAY

(See Sections 41-6-72 through 41-6-76.10 UCA 1953.)

11-8-1: Right of Way Between Vehicles

11-8-2: Right of Way at Intersection--Yield Signs

11-8-3: Vehicle Turning Left

11-8-4: Vehicle Entering a Through Street or Stop Intersection

11-8-5: Failure to Yield Right of way--Effect of Collision--Rule on Stop or Yield Intersections

11-8-6: Entering Highway from Private Road

11-8-7: Entering Controlled-Access Street

11-8-8 Cutting Through Corners

11-8-9: Vehicle or Pedestrian Working Upon Street

11-8-10: Funeral Procession--Driving Through

11-8-11: Funeral Procession--Right of Way

11-8-1: RIGHT OF WAY BETWEEN VEHICLES.

- (A) When two vehicles enter or approach an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- (B) The right-of-way rule above stated is modified at through streets and otherwise as hereinafter stated in this Title. (1979)

11-8-2: RIGHT OF WAY AT INTERSECTIONS--YIELD SIGNS.

- (A) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs erected by authority of the City Council as provided by this Title.
- (B) Except when directed to proceed by a police officer, every driver of a vehicle approaching the stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at a point nearest the intersecting street where the driver has a view of approaching traffic on the intersecting street before entering it. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another street so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of streets.
- (C) 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 and if required for safety to stop, shall stop at a clearly marked stop line, and if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting street where the driver has a view of approaching traffic on the intersecting street before entering it. After slowing or stopping, the driver shall

yield the right-of-way to any vehicle in the intersection or approaching on another street so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of streets. Provided, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision is prima facie evidence of the driver's failure to yield the right of way. (1979)

11-8-3: VEHICLE TURNING LEFT. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close to the turning vehicle as to constitute an immediate hazard. (1979)

11-8-4: VEHICLE ENTERING A THROUGH STREET OR STOP INTERSECTION.

(A) The driver of a vehicle shall stop as required by this Title at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through street shall yield the right-of-way to the vehicle so proceeding into or across the through street.

(B) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street, and shall proceed cautiously, yielding the right-of-way to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed. (1979)

11-8-5: FAILURE TO YIELD RIGHT OF WAY--EFFECT OF COLLISION--RULE ON STOP OR YIELD INTERSECTIONS.

(A) In the event that a driver, after having driven past a yield sign or a stop sign, is involved in a collision with a pedestrian having right-of-way in a crosswalk or a vehicle having right-of-way in the intersection, such collision shall be deemed prima facie evidence of his failure to yield the right-of-way as required by this Section, but shall not be considered negligence per se in determining legal liability for such accident.

(B) 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 as required by Section 11-9-2, and after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on another highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection. (1979)

11-8-6: ENTERING HIGHWAY FROM PRIVATE ROAD. The driver of a vehicle about to enter or cross a street from a private road or driveway or from any place other than another street shall yield the right-of-way to all vehicles approaching on the street to be entered or crossed. (1979)

11-8-7: ENTERING CONTROLLED-ACCESS STREET. No person shall drive a vehicle onto or from any controlled access roadway except at such entrances and exits as are established by public authority. (1979)

11-8-8: CUTTING THROUGH CORNERS. No driver of a motor vehicle, motorcycle or vehicle of any kind, shall drive through any private driveway or private property, such as an oil station or lot, or similar area, whether vacant or not, with intent to avoid obedience to any traffic regulation set forth in this Title, and no person shall drive a motor vehicle, motorcycle or any other vehicle through any private driveway, lot or similar area where

any business establishment or trade is maintained or carried on, for the purpose and with the intent of avoiding obedience to any traffic regulation or for the purpose and with the intent of harassing and annoying the owner thereof or his patrons.

Driving by any person of a motor vehicle upon or through any such private driveway, lot or similar area without stopping shall constitute prima facie evidence of a violation of this Section. (1979)

11-8-9: VEHICLE OR PEDESTRIAN WORKING UPON STREET.

- (A) The driver of a vehicle shall yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within any highway construction or maintenance area indicated by official traffic control devices.
- (B) The driver of a vehicle shall yield the right-of-way to any authorized vehicle obviously and actually engaged in work upon a highway whenever such vehicle displays lights meeting the requirements of Section 41-6-140. 20, Utah Code Annotated. (1979)

11-8-10: FUNERAL PROCESSION--DRIVING THROUGH. No driver of a vehicle shall drive between the vehicles comprising a funeral procession when such procession is accompanied by an adequate police escort or escort service while they are in motion and when such vehicles are conspicuously designated as required in this Title, except when otherwise directed by a police officer. This provision shall not apply to drivers of authorized emergency vehicles. (1979)

11-8-11: FUNERAL PROCESSION--RIGHT OF WAY.

- (A) Each motor vehicle participating in a funeral procession, when accompanied by an adequate police escort or escort service, shall display illuminated headlights thereon and shall follow not more than 30 feet behind the next preceding motor vehicle in such funeral procession, and such vehicles so identified shall have the right-of-way at any street intersection over all other vehicles, except authorized emergency vehicles. For the purposes of this Section and the next preceding Section of this Title, the terms "adequate police escort" or "escort service" shall mean a police escort or other escort service consisting of two escort vehicles or one escort vehicle for each 25 vehicles, included in the funeral procession, whichever is greater.
- (B) All motor vehicles in a funeral procession, when accompanied by an adequate police escort or escort service, operated in compliance with this and the next preceding Section, may proceed past a red or stop signal, provided such movement is made with due caution and circumspection, and other vehicles shall yield the right-of-way to such vehicles. If no police escort or escort service is provided, the funeral procession must obey all traffic regulations and traffic-control devices.
- (C) Each driver in a funeral procession shall drive as near to the right edge of the roadway as possible unless a left turn is contemplated. (1979)

CHAPTER 9

STOPS REQUIRED

(See Sections 41-6-101 through 41-6-104 UCA 1953)

11-9-1: Designation of Through Streets and Stop Intersections

11-9-2: Vehicle Entering a Through Street or Highway

11-9-3: Stop Required of Vehicle Emerging from Alley, Driveway or Building

11-9-4: School Bus--Signs and Light Signals--Duty to Stop

11-9-5: Railroad Grade Crossings--Duty to Stop-Barriers

11-9-6: Stop Signs at Dangerous Railroad Crossings

11-9-7: Railroad Grade Crossings--Duty of Buses and Certain Trucks

11-9-8: Obstructing Railroad Intersection

11-9-1: DESIGNATION OF THROUGH STREETS AND STOP INTERSECTIONS.

(A) The following streets are hereby designated as through streets:

700 South Street from the East Corporate limits to 2000 West, from 2000 West to 3000 West, and from 3000 West to the West Corporate limits.

1700 South Street for its entire length within the Corporate limits.

2700 South Street from the East Corporate limits to 2000 West, and from 2000 West to the West Corporate limits.

1000 West Street except for its intersection with 1700 South, 2700 South, and Bluff Road.

2000 West Street except for its intersection with 1700 South.

3000 West Street except for its intersection with 1700 South.

(B) The Chief of Police is hereby authorized and directed to place appropriate and approved stop signs at all stop intersections.

All places where stop signs are authorized and directed to be placed are hereby designated as stop intersections.

All vehicles shall stop before entering or crossing a through street when proper signs have been posted thereat, except when directed to proceed by a police officer.

(C) Unless otherwise specified in the manual and specifications for a uniform system of traffic-control devices adopted by the State Road Commission, every stop sign shall bear the word "Stop" in letters not less than 8 inches in height, and such signs shall at night time be rendered luminous by steady or flashing internal illumination, or by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign.

(D) Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection, or, if there is no crosswalk, then as close as practicable to the nearest line of the roadway.

- (E) All such stops shall be made 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 street where the driver has a view of approaching traffic on the intersecting street before entering the intersection, except when directed to proceed by a police officer.
- (F) 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. (1979)

11-9-2: VEHICLE ENTERING A THROUGH STREET OR HIGHWAY.

- (A) The driver of a vehicle shall stop as required by this Chapter at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through street shall yield the right-of-way to the vehicle so proceeding into or across the through street.
- (B) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto, although not a part of a through street, and shall proceed cautiously, yielding the right-of-way to vehicles not so obliged to stop as set forth in Section 11-8-4. (1979)

11-9-3: STOP REQUIRED OF VEHICLE EMERGING FROM ALLEY DRIVEWAY OR BUILDING. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alley-way or private driveway and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway. (1979)

11-9-4: SCHOOL BUS--SIGNS AND LIGHT SIGNALS--DUTY TO STOP.

- (A) Every school bus, when operated for the transportation of school pupils, shall bear upon the front and rear thereof a plainly visible sign containing the words, "school bus" in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use for the transportation of school pupils. Every school bus, when operated for the transportation of school children, shall be equipped with alternating flashing red light signals visible from the front and rear, of a type to be approved and mounted as prescribed by the State Department of Public Safety.
- (B) The driver of any vehicle upon a highway, street or road, upon meeting or overtaking any school bus equipped with signs as herein required which is displaying alternating flashing amber warning lights shall slow his vehicle, but may proceed past the bus using due care and caution for the safety of the school children that may be in the vicinity. When a school bus is displaying alternating flashing red light signals visible from the front or rear, all approaching or overtaking vehicles shall stop immediately before reaching said school bus and shall not proceed until said flashing signals cease operation. The driver of a vehicle upon a divided highway or upon a highway with roadways separated by a painted median in excess of twelve feet in width need not stop upon meeting or passing a school bus which is upon the other roadway.
- (C) The driver of a school bus shall operate the signals at all times when children are unloading from a school bus to cross a street or road, or when a school bus is

stopped for the purpose of loading children who must cross a street or road to board said bus, or at any other time when it would be hazardous for vehicles to proceed past the stopped school bus. Such alternating flashing red signals shall not be operated except when the school bus is stopped for loading or unloading school children or for any emergency purposes. (1979)

11-9-5: RAILROAD GRADE CROSSINGS--DUTY TO STOP--BARRIERS.

(A) Whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop within 50 feet but not less than 10 feet from the nearest track of such railroad and shall not proceed until he can do so safely when:

- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train.
- (2) A crossing gate is lowered, or when a human flagman gives or continues to give a signal of the approach or passage of a train.
- (3) A railroad train approaching within approximately 1500 feet of the street crossing emits a signal audible from such distance and such train, by reason of its speed or nearness to such crossing, is an immediate hazard.
- (4) An approaching train is plainly visible and is in hazardous proximity to such crossing.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (1979)

11-9-6: STOP SIGNS AT DANGEROUS RAILROAD CROSSINGS. The Chief of Police, with reference to streets and roads under the jurisdiction of the City, is authorized to designate particularly dangerous street grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected, the driver of any vehicle shall stop within 50 feet, but not less than 10 feet from the nearest track of such grade crossing and shall proceed only upon exercising due care and observing that no train or trains are approaching. (1979)

11-9-7: RAILROAD GRADE CROSSINGS--DUTY OF BUSES AND CERTAIN TRUCKS.

(A) The driver of every

- (1) Bus, as defined herein, transporting passengers,
- (2) School bus transporting school children,
- (3) Motor vehicle transporting explosive substances or flammable liquids in quantities in excess of 100 gallons, as a cargo or part of a cargo,
- (4) Tank truck for transporting flammable liquids, whether loaded or empty, and
- (5) Motor vehicle transporting corrosive liquids in cargo tanks, before crossing at grade any track or tracks or railroads, or motor vehicle transporting fissionable materials, shall stop such vehicle within 50 feet, but not less than 10 feet from the nearest rail of such railroads and while so stopped, shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any 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.

(C) Unless a railroad train is approaching, any vehicle listed in (A) above may proceed without stopping, but at a speed not exceeding 25 miles per hour, at any high-way grade crossing of a railroad where a distinctive sign is displayed indicating that the Public Service Commission of the State, after hearing, has approved that no stop need be made. (1979)

11-9-8:

OBSTRUCTING RAILROAD INTERSECTION. No person or persons operating or in charge of any railroad, railroad train or locomotive shall cause or permit any locomotive, railroad car, train of railroad cars or any portion thereof to obstruct any intersection in this City between a railroad and public street so as to prevent any person or vehicle from crossing the railroad tracks at such an intersection, for a period longer than five minutes. (1979)

CHAPTER 10

TRAFFIC CONTROL DEVICES

11-10-1: Obedience to Traffic Signals Required

11-10-2: Prohibition of Unauthorized Signs, Signals, or Markings

11-10-3: Interference with Signs and Signals

11-10-4: Observance of Restricted Highway Control Devices

11-10-1: OBEDIENCE TO TRAFFIC SIGNALS REQUIRED.

- (A) No pedestrian or driver of a vehicle shall disobey the instructions of any traffic control device placed in accordance with the provisions of this Title unless at the time he is otherwise directed by a police officer or is subject to the exceptions granted the driver of an authorized emergency vehicle in this Title. (1979)
- (B) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Title or of State law, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
- (C) Any official traffic-control device placed pursuant to the provisions of this Title or of State law and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Title, unless the contrary shall be established by competent evidence. (1979)

11-10-2: PROHIBITION OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS.

- (A) No person shall place, maintain, or display upon or in view of any street any unauthorized sign, signal, light, 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 authorized emergency vehicle flashing light, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, or which is of such brilliant illumination and so positioned as to blind or dazzle a driver on any street adjacent thereto, and no person shall place or maintain nor shall any public authority permit upon any street within the limits of the City any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to streets of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (B) Every such prohibited sign, signal, light or marking is declared to be a public nuisance and any police officer is hereby empowered to remove the same or cause it to be removed without notice. (1979)

11-10-3: INTERFERENCE WITH SIGNS AND 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. (1979)

11-10-4: OBSERVANCE OF RESTRICTED HIGHWAY CONTROL DEVICES. Whenever it is deemed necessary because of construction or maintenance work or because of emergency to suspend all or part of the travel on a public highway or street or portion thereof, the appropriate highway authority of the State, County, or City may

restrict the use of, or close such highway, street or portion thereof. Whenever such highway, street, or portion thereof is so restricted or closed to travel, the highway authority shall cause suitable barriers and notices to be posted at the point where the detour road takes off from such closed or restricted highway or street and such detour shall be clearly indicated by signs and the same shall be adequately maintained.

It shall be unlawful for any person willfully to fail to observe any barricade, warning light, sign or flagman, warning the public that a highway or street, or portion thereof, is restricted or closed to traffic. (1979)

CHAPTER 11

SPEED REGULATIONS

(See Sections 41-6-46 through 41-6-52, UCA 1953)

11-11-1: Speed Regulations--Maximum Speeds

11-11-2: Driving Too Slowly

11-11-3: Speed Contest or Exhibition on Highway

11-11-4: Speeding Violations

11-11-1: SPEED REGULATIONS--MAXIMUM SPEEDS

- (A) No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.
- (B) Where no special hazard exists, the posted speed limit shall be lawful, but any speed in excess of the posted speed limit shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.
- (C) Where the speed limit is not posted and where no special hazard exists, the following speeds shall be lawful, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:
 - (1) Twenty miles per hour when passing a school building or the grounds thereof during school recess or while children are going to or leaving school during opening or closing hours, or through a designated school crossing zone.
 - (2) Twenty-five miles per hour in any business or residential district.
 - (3) Thirty-five miles per hour on all streets other than through streets outside of a business or residential district.
 - (4) Forty miles per hour on all through streets or highways, except Interstate Highways where the speed limit shall be 55 miles per hour.
- (D) The driver of every vehicle shall, consistent with the requirements of Subsection (A) of this Section, drive at an appropriate reduced speed when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. (1979)

11-11-2: DRIVING TOO SLOWLY. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law.

Police officers are hereby authorized to enforce this provision by direction to drivers, and in the event of willfully disobedience of this provision or refusal to comply with direction of an officer in accordance herewith, the continued slow operation by a driver shall be a Class B misdemeanor. (1979)

11-11-3: SPEED CONTEST OR EXHIBITION ON HIGHWAY.

(A) No person shall engage in any motor vehicle speed contest or exhibition of speed on a street or alley and no person shall aid or abet in any such motor vehicle speed contest or exhibition on any street or alley.

(B) No person shall, for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest upon a street or alley, in any manner obstruct or place any barricade or obstruction or assist or participate in placing any such barricade or obstruction upon any street or alley. (1979)

11-11-4: SPEEDING VIOLATIONS.In every charge of violation of any speed regulation in this Title, the complaint and the summons or notice to appear shall specify the speed at which the defendant is alleged to have driven, also the prima facie speed applicable within the district or at the location. (1979)

CHAPTER 12

RULES OF THE ROAD

(See Sections 41-6-53 through 41-6-62 UCA 1953)

- 11-12-1: Duty to Drive on Right Side of Roadway**
- 11-12-2: Passing Vehicles Proceeding in Opposite Directions**
- 11-12-3: Overtaking and Passing Vehicles Proceeding in the Same Direction**
- 11-12-4: Limitations on Driving on Left Side of Road**
- 11-12-5: Passing Upon Right--When Permissible**
- 11-12-6: Roadway Laned for Traffic**
- 11-12-7: Following Another Vehicle**
- 11-12-8: Signs and Markings on Roadway--No Passing Zones**
- 11-12-9: Limited Access Highways--Driving Upon and From**
- 11-12-1: DUTY TO DRIVE ON RIGHT SIDE OF ROADWAY.**
- (A) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
 - (2) When an obstruction exists making it necessary to drive to the left of the center of the roadway; provided, however, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portions of the highway within such distance as to constitute an immediate hazard;
 - (3) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
 - (4) Upon a roadway designed and signposted for one-way traffic.
- (B) Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb 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. (1979)
- 11-12-2: 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. (1979)
- 11-12-3: OVERTAKING AND PASSING VEHICLES PROCEEDING IN THE SAME DIRECTION.** 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:

- (A) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (B) Except when overtaking and passing on the right, if 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.
- (C) No vehicle shall be driven to the left side of the center of the roadway in overtaking or passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practical and in the event that the passing movement involves the use of a lane authorized for vehicles approaching in the opposite direction, before coming within 200 feet of any vehicle approaching from the opposite direction. (1979)

11-12-4: LIMITATIONS ON DRIVING ON LEFT SIDE OF ROAD.

- (A) No vehicle shall at any time be driven on the left side of the roadway under the following conditions:
 - (1) When approaching or upon a crest of a grade or a curve on 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.
 - (4) Where a continuous double center line is painted on the roadway.
- (B) The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in Section 11-12-1(A)(2) nor to the driver of a vehicle turning left onto or from an alley, private road or driveway. (1979)

11-12-5: PASSING UPON RIGHT--WHEN PERMISSIBLE

- (A) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
 - (1) When the vehicle overtaken is making or about to make a left turn.
 - (2) Upon a street with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction.
 - (3) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.
- (B) The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle upon the right only under conditions permitting such movement in

safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (1979)

11-12-6: ROADWAY LANED FOR TRAFFIC. Whenever any roadway has been divided into two or more clearly marked lanes for traffic the following rules, in addition to all others consistent therewith, shall apply:

- (A) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (B) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation of making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.
- (C) Official traffic-control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device. (1979)

11-12-7: FOLLOWING ANOTHER VEHICLE.

- (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 street.
- (B) The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space without danger, except that this shall not prevent a truck or motor vehicle from overtaking and passing any vehicle or combinations of vehicles.
- (C) Motor vehicles being driven upon any roadway outside of a business or residence 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. This provision shall not apply to funeral processions. (1979)

11-12-8: SIGNS AND MARKINGS ON ROADWAY--NO PASSING ZONES.

- (A) The City Council is hereby authorized to determine those portions of any street under its jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.
- (B) Where signs or markings are in place to define a no-passing zone as set forth in Subsection (A), no driver shall at any time drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its lengths.
- (C) This Section does not apply to the conditions described in Section 11-12-1(A)(2) nor to the driver of a vehicle turning left onto or from an alley, private road or driveway. (1979)

11-12-9: LIMITED ACCESS HIGHWAYS--DRIVING UPON AND FROM. No person shall drive a vehicle onto or from any limited-access highway except at such entrances and exits as are established by public authority. (1979)

CHAPTER 13

MISCELLANEOUS DRIVING RULES

- 11-13-1: **Reckless Driving**
- 11-13-2: **Negligent Collision**
- 11-13-3: **Backing--When Permissible**
- 11-13-4: **Duty to Keep a Proper Lookout**
- 11-13-5: **Passengers Riding on Improper Portion of Motor Vehicle**
- 11-13-6: **Obstruction to Driver's View or Driving Mechanism**
- 11-13-7: **Destructive or Injurious Materials on Streets**
- 11-13-8: **Headlights Must be Dimmed**
- 11-13-9: **Reasonable Care Required when Driving**
- 11-13-10: **Control by Driver**
- 11-13-11: **Tampering with Vehicle--Boarding With Intent to Injure**
- 11-13-12: **Sidewalk--Driving on Prohibited**
- 11-13-13: **Vehicle Door--Prohibited Opening**
- 11-13-14: **Unlawful Taking of Vehicles**
- 11-13-15: **Motorcycle or Motor-Driven Cycle--Place for Operator and Passengers**
- 11-13-16: **Motorcycle or Motor-Driven Cycle--Operation on Public Streets**
- 11-13-17: **Motorcycle or Motor-Driven Cycle--Attaching to Another Vehicle Prohibited**
- 11-13-18: **Motorcycle or Motor-Driven Cycle--Footrests for Passengers--Height of Handle Bars**
- 11-13-19: **Motorcycle or Motor-Driven Cycle--Protective Head Gear--Standards**
- 11-13-20: **Motorcycle or Motor-Driven Cycle--Operation Between Lanes of Traffic**
- 11-13-21: **Attaching Sled Unlawful**
- 11-13-22: **Parades and Processions--Permits Required**
- 11-13-23: **Driving on New Pavement**
- 11-13-1: **RECKLESS DRIVING - PENALTY.**

(A) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(B) Every person convicted of reckless driving shall be guilty of a Class B misdemeanor and shall be punished upon a first conviction by imprisonment for a period of not less than five days nor more than six months, or by a fine of not less than \$25.00 nor more than \$1000.00, or by both such fine and imprisonment. On

a second or subsequent conviction, the person shall be punished by imprisonment for not less than ten days nor more than six months, or by a fine of not less than \$50.00 nor more than \$1000.00, or by both such fine and imprisonment. (1986)

11-13-2: NEGLIGENCE COLLISION. It shall be unlawful to operate a vehicle with such lack of due care and in such negligent manner as to cause the same to collide with any vehicle, person, or object.

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

(B) No vehicle shall be backed around a corner of any intersection.

(C) The driver of any vehicle while backing such vehicle from a driveway onto a street with a marked center line thereon shall not back across said center line but shall back only into the nearest traffic lane and shall then proceed forward only in the direction of proper traffic travel for such lane of traffic. (1979)

11-13-4: PROPER LOOKOUT REQUIRED. No person shall drive a motor vehicle on the streets of the City in such a manner as to endanger life or property by failing to keep a safe and proper lookout for other traffic, objects fixtures, or property thereon or adjacent thereto. (1997)

11-13-5: PASSENGERS RIDING ON IMPROPER PORTION OF MOTOR VEHICLE.No person shall ride, and no person driving a motor vehicle shall knowingly permit any person to ride upon any portion of any vehicle not designated or intended for the use of passengers. This provision shall not apply to any vehicle driven elsewhere than upon a street or to an employee engaged in the necessary discharge of his duty or to persons riding within or upon any motor vehicle in space intended for any load on said vehicle. (1979)

11-13-6: OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM.

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

(B) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle. (1979)

11-13-7: DESTRUCTIVE OR INJURIOUS MATERIALS ON STREETS.

- (A) It shall be unlawful for any person to throw, deposit, or discard, or to permit to be dropped, thrown, deposited, or discarded upon any public road, highway, park, recreation area, or other public or private land, or waterway, any glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, paper or paper products, or any other substance which would or could mar or impair the scenic aspect or beauty of such land in the City, whether under private, State, County, municipal, or Federal ownership, without the permission of the owner, or person having control or custody of the land.
- (B) Any person who drops, throws, deposits, or discards, or permits to be dropped, thrown, deposited or discarded, upon any public road, highway, park, recreation area, or other public or private land or waterway any destructive, injurious or unsightly material shall immediately remove the same or cause it to be removed.
- (C) It shall be unlawful to throw any lighted material from a moving vehicle.
- (D) Any person removing a wrecked or damaged vehicle from a public road, street, park, recreation area, or other public or private land shall remove any glass or other injurious substance dropped upon the road or street or in the park, recreation area, or other public or private land from such vehicle.
- (E) No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand or other abrasives may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
- (F) No person shall operate on any street any vehicle with any load unless said load and any covering thereon is suitably fastened, secured, and confined according to the nature of such load so as to prevent said covering or load from becoming loose, detached, or in any manner a hazard to other users of the street.
- (G) Each operator of a park, campground, trailer park, drive-in restaurant, gasoline service station, shopping center, grocery store parking lot, tavern parking lot, and parking lots of industrial firms shall maintain sufficient litter receptacles on said premises to accommodate the litter that accumulates there.
- (H) The provisions of this Section shall not apply to street maintenance crews nor to other persons who have received proper authorization from the City Council.
(1979)

11-13-8: HEADLIGHTS MUST BE DIMMED.

- (A) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the time specified in Section 41-6-118, Utah Code Annotated, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:
 - (1) Whenever the driver of any vehicle shall use his headlights within this City and shall be or come within 500 feet of an approaching vehicle, he shall dim or have dimmed his headlights so that the glaring rays are not projected into the eyes of the oncoming driver.
 - (2) Whenever the driver of a vehicle follows another vehicle within 200 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall, if using his headlights, have such headlights dimmed or in low beam.
(1979)

- 11-13-9: REASONABLE CARE REQUIRED WHEN DRIVING.** It shall be unlawful for any person to drive a vehicle without the care and caution of a reasonable, prudent person under the circumstances then and there existing, or in a manner so as to endanger or be likely to endanger any person or property. (1997)
- 11-13-10: CONTROL BY DRIVER.**
- (A) No driver shall engage in any activity that interferes with the safe control of his vehicle while the same is in motion.
 - (B) No driver shall have in his lap any other person, adult or minor, nor animal, nor shall he be seated in the lap of any person while the vehicle is in motion.
 - (C) No driver shall have either arm around another person nor shall another person have either arm around the driver while the vehicle is in motion.
 - (D) No driver shall operate any vehicle while any person or child is standing on a seat within such vehicle. (1979)
- 11-13-11: TAMPERING WITH VEHICLE--BOARDING WITH INTENT TO INJURE.**
- (A) No person shall climb upon or into or swing upon or hold on to the outside of any motor vehicle, whether the same is in motion or at rest, sound any horn or any other signaling device, or attempt to manipulate any of the levers, the starter, brakes or machinery thereof, or set such vehicle in motion or damage, tamper or interfere with the same. This provision shall not apply to persons with authority of the owner or the person lawfully in charge of a motor vehicle while such motor vehicle is at rest.
 - (B) No person, either individually or in association with one or more other persons, shall willfully injure or tamper with any vehicle or break or remove any part or parts of or from a vehicle without the consent of the owner.
 - (C) No person shall, with intent to commit any malicious mischief, injury, or other crime, climb into or upon a vehicle, whether it is in motion or at rest, or with like intent, attempt to manipulate any of the levers, starting mechanism, brakes, or other mechanism or device of a vehicle while the same is at rest and unattended, or with like intent, set in motion any vehicle while the same is at rest and unattended. (1979)
- 11-13-12: SIDEWALK--DRIVING ON PROHIBITED.**No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized or temporary driveway. (1979)
- 11-13-13: VEHICLE DOOR--PROHIBITED OPENING.** No person shall open the door of a motor vehicle on a side available to moving traffic unless and until it is safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on a side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1979)
- 11-13-14: UNLAWFUL TAKING OF VEHICLES.** Any person who drives a vehicle, not his own, without the consent of the owner thereof and with intent temporarily to deprive said owner of his possession of such vehicle, without intent to steal the same, is guilty of a Class B misdemeanor. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving of such vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in any such unauthorized taking or driving is guilty of a Class B misdemeanor. (1979)

11-13-15: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--PLACE FOR OPERATOR AND PASSENGERS.

- (A) A person operating a motorcycle or motordriven cycle shall ride only upon the permanent and regular seat attached thereto and such operator shall not carry any other person nor shall any other person ride on a motorcycle or a motor-driven cycle unless such vehicle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat, if designed for two persons, or upon another seat firmly attached to the motorcycle or motor-driven cycle at the rear or side of the operator.
- (B) A person shall ride upon a motorcycle or motor-driven cycle only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle or motor-driven cycle.
- (C) No person shall operate a motorcycle or motor-driven cycle while carrying any package, bundle, or other article which prevents him from keeping both hands on the handle bars.
- (D) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or motordriven cycle or the view of the operator. (1979)

11-13-16: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--OPERATION ON PUBLIC STREETS.

- (A) All motorcycles and motor-driven cycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motor cycle or motor-driven cycle of the full use of a lane. This Subsection shall not apply to motorcycles or motor-driven cycles operated two abreast in a single lane.
- (B) The operator of a motorcycle or motor driven cycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (C) No person shall operate a motorcycle or motor-driven cycle between lanes of traffic, or between adjacent lines or rows of vehicles.
- (D) Motorcycles or motor-driven cycles shall not be operated more than two abreast in a single lane.
- (E) Subsections (B) and (C) shall not apply to police officers in the performance of their official duties. (1979)

11-13-17: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--ATTACHING TO ANOTHER VEHICLE PROHIBITED. No person riding upon a motorcycle or motor-driven cycle shall attach himself to any other vehicle on a roadway. (1979)

11-13-18: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--FOOTRESTS FOR PASSENGERS--HEIGHT OF HANDLE BARS.

- (A) Any motorcycle or motor-driven vehicle carrying a passenger on a public street, other than in a sidecar or enclosed cap, shall be equipped with footrests for such passenger.
- (B) No person shall operate any motorcycle or motor-driven cycle with handle bars above shoulder height. (1979)

11-13-19: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--PROTECTIVE HEAD GEAR--STANDARDS.

- (A) No person under the age of 18 shall operate or ride upon a motorcycle or motor-driven cycle upon a public street unless such person is wearing protective

headgear which complies with standards established by the Commissioner of Public Safety of the State.

(B) This Section shall not apply to persons riding within a closed cab.

(C) The Commissioner of Public Safety is authorized to promulgate and enforce specifications and standards for the use of protective headgear required herein. (1979)

11-13-20: MOTORCYCLE OR MOTOR-DRIVEN CYCLE--OPERATION BETWEEN LANES OF TRAFFIC. No person shall operate a motorcycle or motor-driven cycle between lanes of traffic, or between adjacent lines or rows of vehicles, but this Section shall not apply to police officers in the performance of their official duties. (1979)

11-13-21: ATTACHING SLED UNLAWFUL. It shall be unlawful for the driver, or any person in charge of any vehicle, to knowingly drive or operate such vehicle upon any of the streets of this City while any sled, toboggan or sleigh is attached to or connected with such vehicle, or to permit any sled or other similar conveyance to be attached to or connected with said vehicle upon any of the streets of this City. (1979)

11-13-22: PARADES AND PROCESSIONS--PERMITS REQUIRED.No procession or parade, except a funeral procession, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police of this City. All requests for such permits shall state the time, place of formation, proposed line of march, destination and such other information as the Chief of Police may require. All requests for parade permits must be submitted to the City Council at least five days prior to the actual time of the procession. The time and the route should be designated. Any procession or parade proceeding in accordance with the permit issued as hereinabove provided may be authorized by the Chief of Police to disregard traffic-control devices. The person or persons obtaining such permits, together with the sponsoring organizations whom they represent, shall provide, at their own expense, police supervision for such parades or processions which are not of a community-wide nature when, in the opinion of the City Council, such supervision is necessary in the interest of preserving peace and promoting the health and welfare of the residents of the City. (1979)

11-13-23: DRIVING ON NEW PAVEMENT. No person shall drive, ride or cause to be driven or ridden any animal, or ride, drive or propel, or cause to be ridden, driven or propelled, any vehicle over or across any newly made pavement in any public street, across or around which pavement there is a barrier, or at, over or near which there is a person or a sign warning persons not to drive over or across such pavement, or a sign stating that the street is closed. (1979)

CHAPTER 14

STOPPING, STANDING, AND PARKING

(See Section 41-6-103 UCA 1953)

- 11-14-1: Parallel Parking**
- 11-14-2: Angle Parking**
- 11-14-3: Stopping or Parking Vehicles--Restrictions and Exceptions**
- 11-14-4: Parking Not to Obstruct Traffic**
- 11-14-5: Stopping or Parking on Roadway**
- 11-14-6: Motor Vehicle Left Unattended--Requirements**
- 11-14-7: Parked Vehicle--Duty to Display Lights**
- 11-14-8: Parking For Certain Purposes Prohibited**
- 11-14-9: All Night Parking Prohibited**
- 11-14-10: Stopping or Parking--Prohibited Adjacent to Schools, on Narrow Streets, Near Hazardous Places**
- 11-14-11: Parking of Trailers, Recreational Vehicles.**
- 11-14-12: Parking Heavy Duty Vehicles in Residential Zones Regulated**
- 11-14-13: Police Officer Authorized to Move Vehicle**
- 11-14-14: Evidence Required on Parking Violation**
- 11-14-1: PARALLEL PARKING.** No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 12 inches of the right-hand curb or edge of the roadway, or as close as practicable to the right edge of the right shoulder, except as otherwise provided in this Chapter. (1979)
- 11-14-2: ANGLE PARKING.** Angle parking shall be permitted only upon those streets or parts of streets which have signs or traffic markings indicating that angle parking is permitted. No person shall park or stand a vehicle other than between such traffic markings or at any angle to the curb or edge of the roadway other than that indicated by such sign or traffic markings. (1979)
- 11-14-3: STANDING OR PARKING VEHICLES--RESTRICTIONS AND EXCEPTIONS.** Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:
- (A) Stop, stand or park a vehicle:
- (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (2) On a sidewalk;
 - (3) Within an intersection;
 - (4) On a crosswalk;

- (5) 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 a different length is indicated by signs or markings;
 - (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - (7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - (8) On any railroad tracks;
 - (9) On any controlled-access highway;
 - (10) In the area between roadways of a divided highway, including crossovers;
 - (11) Any place where official traffic-control devices prohibit stopping.
- (B) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- (1) In front of a public or private driveway;
 - (2) Within 15 feet of a fire hydrant;
 - (3) Within 20 feet of a crosswalk at an intersection;
 - (4) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway;
 - (5) 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 signposted;
 - (6) At any place where official traffic control devices prohibit standing.
- (C) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- (1) Within 50 feet of the nearest rail of a railroad crossing;
 - (2) At any place where official traffic control devices prohibit parking;
 - (3) Upon the outside or inside shoulder area of any designated interstate highway unless that action is necessitated by the mechanical failure or malfunction of the vehicle or the physical distress of the driver to an extent that the safety of the driver or others upon the highway would otherwise be impaired.
- (D) No person shall move a vehicle not lawfully under such person's control into any prohibited area or an unlawful distance from the curb. (1979)

11-14-4: PARKING NOT TO OBSTRUCT TRAFFIC. No person shall park any vehicle upon any 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 free movement of vehicular traffic, nor shall any person stop, stand, or park a vehicle within any street or alley in such position as to block the driveway entrance to any abutting property. (1979)

11-14-5: STOPPING OR PARKING ON ROADWAY. No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practical to stop, park, or so leave such vehicle off the roadway, but in every event an

unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such roadway.

This Section and Section 11-14-3 shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a roadway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (1979)

11-14-6: MOTOR VEHICLE LEFT UNATTENDED--REQUIREMENTS. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, placing the transmission in "park" or the gears in "low" or "reverse" if the vehicle has a manual shift, or effectively setting the brakes thereon; and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the street. (1979)

11-14-7: PARKED VEHICLE--DUTY TO DISPLAY LIGHTS.

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

(B) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between one-half hour after sunset and one-half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of 500 feet upon such roadway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this Section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

(C) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. (1979)

11-14-8: PARKING FOR CERTAIN PURPOSES PROHIBITED. No person shall park a vehicle upon any public property or street in Syracuse:

(A) For more than 48 continuous hours without moving the vehicle.

(B) For the purpose of performing repair work on the vehicle, except repairs necessitated by an emergency.

(C) For the purpose of selling foodstuffs or other merchandise. (Ord. 05-20)

11-14-9: OFF-STREET PARKING DURING WINTER MONTHS. In order to allow for the orderly and timely removal of snow during winter months, it shall be unlawful to park any vehicle within the public right-of way of any street within the corporate limits of Syracuse City at any time during the accumulation or removal of snow unless special permission is granted by the Syracuse Police Department. (1999)

11-14-10: STOPPING OR PARKING--PROHIBITED ADJACENT TO SCHOOLS, ON NARROW STREETS, NEAR HAZARDOUS PLACES.

(A) The Chief of Police is hereby authorized to erect signs indicating no parking in any of the following places:

- (1) Upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
 - (2) Upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.
 - (3) Places not exceeding 100 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (B) When official signs are erected indicating no parking in any of the places specified in Subsection (A) as authorized herein, no person shall park a vehicle in any such designated place. (1979)

11-14-11 PARKING OF TRAILERS, RECREATIONAL VEHICLES.

It shall be unlawful for any person or business to park, place, store, or otherwise leave standing on any public street, public roadway, public alley or city property, any unattached trailer of any type, whether for the occupancy of people, storage of items or for towing purposes; any boat, whether the same is loaded or not on an unattached trailer or otherwise; any camper not mounted on a vehicle; any motor home or mini-motor home of any length; and any combination of a pulling or towing vehicle with an attached trailer for a period longer than 24 hours. Such vehicle shall be considered to be in violation of this Section if parked in any one location for longer than twenty-four (24) hours or if the vehicle has been parked in one or more locations within Syracuse City for longer than twenty-four (24) hours, except that a permit may be obtained from the Police Department for a period not to exceed seven (7) days for out-of-town visitors.

Parking of any such trailer or recreational vehicle on private property must not impede visibility of sidewalks and streets from adjacent driveways, nor impede vision on a corner lot for a distance of 40 feet from each of the intersecting streets. (Ord 04-01)

11-14-12: PARKING HEAVY DUTY VEHICLES IN RESIDENTIAL ZONES REGULATED.

- (A) The driver of a motor vehicle having a total gross weight, loaded or unloaded, in excess of 50,000 pounds, or having a total length in excess of 24 feet from the most forward point of the vehicle or its load to the most rear point of said vehicle or its load, shall not park said vehicle or allow it to stand upon any City street located within a residential zone for longer than two hours.
- (B) In determining the total gross weight or total length as provided in Subsection (A), the length or weight of a trailer connected or attached to or in tandem with the motor vehicle, shall also be included in making such determination. (1979)

11-14-13: POLICE OFFICER AUTHORIZED TO MOVE VEHICLE.

- (A) Whenever any police officer finds a vehicle in violation of any provisions of this Section, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the street or roadway.
- (B) Any police officer is authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any street, roadway, bridge or causeway in such position or under such circumstances as to obstruct the normal movement of traffic.
- (C) Any police officer is authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a street or roadway when:

- (1) Report has been made that such vehicle has been stolen or taken without the consent of its owner; or
- (2) The person or persons in charge of such vehicle are unable to provide for its custody or removal; or
- (3) When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay. (1979)

11-14-14: **EVIDENCE REQUIRED ON PARKING VIOLATION.** The presence of any vehicle in or upon any public street in this City, parked in violation of the City Ordinances regulating the parking of vehicles, shall be prima facie evidence that the person in whose name such vehicle is registered as owner, committed or authorized the commission of such violation. (1979)

CHAPTER 15

PEDESTRIANS

(See Sections 41-6-7 through 41-6-79.20 UCA 1953)

- 11-15-1: **Pedestrians' Right-of-Way**
- 11-15-2: **Pedestrians Yielding Right-of-Way**
- 11-15-3: **Emergency Vehicle--Duties of Driver and Pedestrian**
- 11-15-4: **Pedestrians--When Walking Along Roadways or Standing Thereon Prohibited**
- 11-15-5: **Obedience of Pedestrians to Railroad Signals**
- 11-15-6: **Pedestrians Subject to Traffic-Control Signals**
- 11-15-7: **Pedestrians and Incapacitated Persons--Driver Care**
- 11-15-8: **Responsibility of Parents and Guardians**
- 11-15-9: **Vehicle Crossing Sidewalks--Driver to Yield**
- 11-15-10: **Pedestrians Obstructing Sidewalks**
- 11-15-1: **PEDESTRIANS' RIGHT OF WAY.**

(A) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. This provision shall not apply under the conditions stated in Section 11-15-2.

(B) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at any 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. (1979)

11-15-2: **PEDESTRIANS YIELDING RIGHT OF WAY.**

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

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

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

(D) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

(E) No pedestrian shall disobey the instructions of any traffic-control device placed in accordance with the provisions of this Title unless at the time he is otherwise directed by a police officer. (1979)

11-15-3: EMERGENCY VEHICLE--DUTIES OF DRIVER AND PEDESTRIAN.

(A) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of Section 41-6-146, Utah Code Annotated, and visual signals meeting the requirements of Section 41-6-140, Utah Code Annotated, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(B) This Section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with regard for the safety of all persons using the highway, nor from the duty to exercise due care to avoid colliding with any pedestrian. (1979)

11-15-4: PEDESTRIANS--WHEN WALKING ALONG ROADWAYS OR STANDING THEREON PROHIBITED.

(A) Where sidewalks are provided and their use is practicable, it is unlawful for any pedestrians to walk along and upon an adjacent roadway.

(B) Where sidewalks are not provided, any pedestrians walking along and upon a highway shall, when practicable, walk only on a shoulder as far as practicable from the edge of the roadway.

(C) Where neither a sidewalk or a shoulder is available, any pedestrian walking along or upon a highway shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the left side of the roadway.

(D) No person shall stand in a roadway or shoulder area for the purpose of soliciting from the occupant of any vehicle a ride, employment, the parking, watching or guarding of a vehicle or other business.

(E) No pedestrian who is under the influence of alcohol or any drug to a degree which renders such person a hazard shall walk or be upon a highway except on a sidewalk or sidewalk area.

(F) Except as otherwise provided in this Chapter, pedestrians upon a roadway, shall yield the right-of-way to all vehicles upon the roadway. (1979)

11-15-5: OBEDIENCE OF PEDESTRIANS TO RAILROAD SIGNALS. No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed. (1979)

11-15-6: PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS. Pedestrians shall be subject to traffic-control signals at intersections as set forth in this Title, and at all other places pedestrians shall be subject to the restrictions stated in this Title. (1979)

11-15-7: PEDESTRIANS AND INCAPACITATED PERSONS--DRIVER CARE.

(A) Notwithstanding the foregoing provisions of this Title, 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 where necessary and shall exercise proper precaution upon observing on a roadway any child or any incapacitated person or any person carrying a cane as described in Subparagraph (B) below, or any person being accompanied by a guide dog, and shall yield the right-of-way thereto.

(B) A person wholly or partially blind, and with no other person, may carry a cane or walking stick, white in color, or white tipped with red, seven-eighths of an inch or more in diameter, as a means of protection and identification as an indication to all traffic to exercise extraordinary care to avoid accidents. (1979)

11-15-8: RESPONSIBILITY OF PARENTS AND GUARDIANS. The parent or custodian of any child and the guardian of any ward or person having charge of any blind, confused or incapacitated person shall not authorize or knowingly permit any such person to violate any of the provisions of this Chapter. (1979)

11-15-9: VEHICLE CROSSING SIDEWALKS--DRIVER TO YIELD. The driver of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk. (1979)

11-15-10: PEDESTRIANS OBSTRUCTING SIDEWALKS. Pedestrians shall not obstruct or prevent the free use of sidewalks or crosswalks by other pedestrians. (1979)

CHAPTER 16

BICYCLES

- 11-16-1: Parents and Guardians Responsible**
- 11-16-2: Licenses**
- 11-16-3: License Mutilation or Alteration**
- 11-16-4: Equipment--Bell, Brake, Light**
- 11-16-5: Bicycle Riders Subject to Traffic Regulations**
- 11-16-6: Duties of Bicyclist on Roadway**
- 11-16-7: Operation of Bicycle--Number of Persons**
- 11-16-8: One Hand on Handle Bars**
- 11-16-9: Attachment to Vehicles Prohibited**
- 11-16-10: Bicycles to Yield Right of Way to Pedestrians**
- 11-16-11: Parking on Sidewalk and Roadway--Prohibitions**
- 11-16-12: Turn Signals**
- 11-16-13: Racing Prohibited--Exceptions**
- 11-16-14: Revocation or Suspension of Bicycle License**

11-16-1: PARENTS AND GUARDIANS RESPONSIBLE.

(A) 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 Chapter.

(B) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein. (1979)

11-16-2: LICENSES.

(A) It shall be unlawful for any person to operate or ride a bicycle upon any of the streets, alleys, sidewalks, or public ways of the City unless the bicycle has been duly registered and licensed by the City. Application for said license shall be made to the City and the applicant shall pay a license fee in such amount as may be determined by the City Council, or as determined by a City officer or person designated by the Council to be in charge of licensing of bicycles. Every bicycle before being so registered and licensed must be inspected with relation to its frame number, operating condition, lights, warning device, reflector and handle bars. The Chief of Police is hereby authorized and directed, subject to the approval of the City Council, to prepare and issue regulations governing the inspection and licensing of bicycles; provided that any such license so issued or heretofore issued by the Police Department shall be valid for the life of such bicycle or until the

transfer of ownership thereof, or the license decal issued to such bicycle becomes destroyed, lost, or mutilated, at which time such bicycle shall again be inspected, registered and licensed as herein provided.

- (B) All cycle dealers shall arrange for all cycles sold by them to be licensed; shall keep records of all such sales, and shall furnish to the City Police Department the information required by Section 11-21-1, Utah Code Annotated, 1953. (1979)

11-16-3: LICENSE MUTILATION OR ALTERATION. No person shall willfully or maliciously destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this Chapter, or remove, destroy or mutilate any license decal while the same is valid, or operate any bicycle without having attached thereto a license decal issued as provided herein. (1979)

11-16-4: EQUIPMENT--BELL, BRAKE, LIGHT.

- (A) No person shall ride a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that no bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.
- (B) Every bicycle shall be equipped with a brake which will enable the operator to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.
- (C) Every bicycle operated during the night time shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Motor Vehicle Department of the State of Utah which shall be visible for 500 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
- (D) Every bicycle when in use shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for 500 feet when directly in front of lawful lower beams of head lamps on a motor vehicle, or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least 500 feet.
- (E) A bicycle or its rider may be equipped with lights or reflectors in addition to those required by Subsections (C) and (D). (1979)

11-16-5: BICYCLE RIDERS SUBJECT TO TRAFFIC REGULATIONS. Every person riding a bicycle upon a roadway shall be subject to the provisions of this Title applicable to the driver of a vehicle, except as to special regulations in this Title, and except as to those provisions of this Title which by their nature can have no application. No person shall ride a bicycle upon a sidewalk within a business district. The Chief of Police is authorized to erect 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. (1979)

11-16-6: DUTIES OF BICYCLIST ON ROADWAY.

- (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 roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(C) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (1979)

11-16-7: OPERATION OF BICYCLE--NUMBER OF PERSONS.

(A) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except that an adult rider may carry a child securely attached to his person in a back pack or sling. (1979)

11-16-8: ONE HAND ON HANDLE BARS. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars. (1979)

11-16-9: ATTACHMENT TO VEHICLES PROHIBITED. No person riding upon any bicycle, coaster, skate board, roller skates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (1979)

11-16-10: BICYCLES TO YIELD RIGHT OF WAY TO PEDESTRIANS.

(A) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(B) A person shall not ride a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, where use of bicycles is prohibited by official traffic-control devices.

(C) A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances. (1979)

11-16-11: PARKING ON SIDEWALKS AND ROADWAYS--PROHIBITIONS.

(A) A person may park a bicycle on a sidewalk unless prohibited or restricted by an official traffic-control device.

(B) A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(C) A bicycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed.

(D) A bicycle may be parked on the roadway abreast of another bicycle or bicycles near the side of the roadway at any location where parking is allowed. (1979)

11-16-12: TURN SIGNALS.

(A) Except as provided in this Section, a person riding a bicycle shall comply with Section 11-7-3 of this Title.

(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 bicycle before turning, and shall be given while the bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle. (1979)

11-16-13: RACING PROHIBITED--EXCEPTIONS. Bicycle racing on highways is prohibited, except that bicycle racing on a highway is not unlawful when a racing event is approved by the City Council or Chief of Police. Approval of bicycle highway racing

events shall be granted only under conditions which assure reasonable safety for all race participants, spectators, and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users. (1979)

11-16-14: **REVOCAION OR SUSPENSION OF BICYCLE LICENSE.** Justices of the Peace or Judges of Juvenile Courts who hear traffic cases are hereby empowered to revoke or suspend the license of any bicycle when it appears that the owner of any bicycle is not the licensee of record or that the owner of the bicycle is using it in violation of this Title. The City Marshal is hereby directed and authorized to impound any bicycle so used in violation of this Title for a reasonable period of time pending investigation of any alleged violation of this Title or until such bicycle is registered and licensed by the owner thereof and equipped as herein provided. (1979)

CHAPTER 17

PENALTY AND ARRESTS

- 11-17-1: Penalty**
- 11-17-2: Parties**
- 11-17-3: Appearance Upon Arrest for Misdemeanor--Setting Bond**
- 11-17-4: Notice to Appear in Court--Contents--Promise to Comply--Release--Official Misconduct**
- 11-17-5: Violation of Promise to Appear**
- 11-17-6: Copy of Citation--When Deemed a Lawful Complaint**
- 11-17-7: Failure to Stop Vehicle at Command of Police Officer**
- 11-17-8: Improper Disposition or Cancellation of Notice to Appear or Citation**
- 11-17-9: Citation on Illegally Parked Vehicle**
- 11-17-10: Failure to Comply with Citation Attached to Parked Vehicle**
- 11-17-11: Disposition and Records of Traffic Citations, Warrants and Complaints**
- 11-17-12: Keeping of Records--Forwarding Abstract--Form and Contents--Public Inspection--Official Misconduct**
- 11-17-1: PENALTY.** Any person who shall violate any of the provisions of this Title for which no specific penalty is provided shall, upon conviction, be deemed guilty of a Class B misdemeanor, and shall be punished by a fine in any sum not over \$1000.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment. (1986)
- 11-17-2 PARTIES.** Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared herein to be unlawful, whether individually or in connection with one or more other persons, or as a principal, agent, or accessory, shall be guilty of such offense; and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Title is likewise guilty of such offense, Every person who knowingly and willfully gives false information concerning the identity of any person who has committed any act to a police officer investigating such act, known by such officer to have been committed and believed by such officer to have been unlawful, or who refuses to reveal to such officer upon demand any information in his possession regarding the identity of the person who committed such act, shall be guilty of a Class B misdemeanor. (1979)
- 11-17-3: APPEARANCE UPON ARREST FOR MISDEMEANOR--SETTING BOND.** (See Section 41-6-166 UCA 1953)
- (A) Whenever any person is arrested for any violation of this Title punishable as a misdemeanor, the arrested person, for the purpose of setting bond, shall in the following cases, be taken without unnecessary delay before a magistrate within this City:
- (1) When a person arrested demands an immediate appearance before a magistrate.

- (2) When the person is arrested upon a charge of driving while under the influence of intoxicating liquor or narcotic drugs.
- (3) When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property.
- (4) In any other event when the person arrested refuses to give his written promise to appear in court as hereinafter provided, or when in the discretion of the arresting officer, a written promise to appear is insufficient. (1979)

11-17-4: NOTICE TO APPEAR IN COURT--CONTENTS--PROMISE TO COMPLY--RELEASE--OFFICIAL MISCONDUCT. (See Section 41-6-167 UCA 1953.)

- (A) Upon any violation of this Title punishable as a misdemeanor, whenever a person is immediately taken before a magistrate as hereinabove provided, the police officer shall prepare in triplicate or more copies a written notice to appear in court, containing the name and address of such person, the number, if any, of his operator's or chauffeur's license, the registration number of his vehicle, the offense charged, and the time and place when and where such person shall appear in court.
- (B) The time specified in said notice to appear must be at least five days after such arrest unless the person arrested shall demand an earlier hearing.
- (C) The place specified in said notice to appear must be made before a magistrate within the City or the County in which the offense charged is alleged to have been committed and who has jurisdiction of such offense.
- (D) The arrested person, in order to secure release as provided in this Section, must give his written promise satisfactory to the arresting officer so to appear in court by signing at least one copy of the written notice prepared by the arresting officer. The officer shall deliver a copy of such notice to the person promising to appear. Thereupon, said officer shall forthwith release the person arrested from custody.
- (E) Any officer violating any of the provisions of this Section shall be guilty of misconduct in office and shall be subject to removal from office. (1979)

11-17-5: VIOLATION OF PROMISE TO APPEAR.

- (A) Any person willfully violating his written promise to appear in court, given as provided in this Chapter, is guilty of a Class B misdemeanor regardless of the disposition of the charge upon which he was originally arrested. (1979)
- (B) A written promise to appear in court may be complied with by an appearance by counsel. (1979)

11-17-6: COPY OF CITATION--WHEN DEEMED A LAWFUL COMPLAINT. In the event the form of citation provided under Section 11-2-2 includes information and is sworn to as required under the general laws of this State in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this Title. (1979)

11-17-7: FAILURE TO STOP VEHICLE AT COMMAND OF POLICE OFFICER. Any driver who, having received a visual or audible signal from a police officer to bring his vehicle to a stop, operates his vehicle in willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or any other vehicle or person, or who increases his speed or attempts to flee or elude the police shall be guilty of a Class B misdemeanor. Upon receiving notice of such conviction, the State Department of Public Safety shall forthwith revoke the operator's license of the person so convicted for a period of one year. (1979)

11-17-8: IMPROPER DISPOSITION OR CANCELLATION OF NOTICE TO APPEAR OR CITATION

- (A) It shall be unlawful and official misconduct for any police officer or other officer or public employee to dispose of a notice to appear or of any traffic citation without the consent of the magistrate before whom the person was to appear.
- (B) Any person who cancels or solicits the cancellation of any notice to appear or any traffic citation in any manner other than as provided by law, shall be guilty of a Class B misdemeanor. (1979)

11-17-9: CITATION ON ILLEGALLY PARKED VEHICLE. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by this Title or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the City, for the driver to answer to the charge against him within five days during the hours and at a place specified in the citation. (1979)

11-17-10: FAILURE TO COMPLY WITH CITATION ATTACHED TO PARKED VEHICLE. If a violator of the restrictions on stopping, standing or parking under the traffic laws or Ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the City Justice of the Peace, or a Clerk of said Court shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days, a warrant of arrest will be issued. (1979)

11-17-11: DISPOSITION AND RECORDS OF TRAFFIC CITATIONS, WARRANTS AND COMPLAINTS.

- (A) Every police officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic regulations of this City, shall deposit the original and a duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the Justice Court of this City, and said duplicate copy to the Records Section of the Police Department. The second duplicate copy of the citation shall be retained in the traffic citation book and shall be delivered by such superior officer to the City, together with such book, when all traffic citations therein have been used.
- (B) Upon the filing of such original citation in the Justice Court of this City as aforesaid, said citation may be disposed of only by trial in said Court or by other official action by a Judge of said Court, including forfeiture of bail or by payment of a fine to the said Court.
- (C) The Chief of Police shall require the return to him of each traffic citation and all copies thereof, except that copy required to be retained in the book as provided herein, which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.
- (D) The Chief of Police shall also maintain or cause to be maintained a record of all warrants issued by the Justice Court of this City or by any other Court on said traffic violation charges and which are delivered to the Police Department for service, and of the final disposition of all such warrants.
- (E) It shall be unlawful and official misconduct for any member of the Police Department or other officer or public employee to dispose of, alter, or deface a traffic citation or any copy thereof, or the records of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this Section. (1979)

11-17-12:

**KEEPING OF RECORDS--FORWARDING ABSTRACT--FORM AND CONTENTS--
PUBLIC INSPECTION--OFFICIAL MISCONDUCT.**

- (A) The City Justice of the Peace shall keep a full record of every case in which a person is charged with any violation of this Title or of any other law regulating the operation of vehicles on highways.
- (B) Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this Title or other law regulating the operation of vehicles on highways, the City Justice of the Peace shall prepare and immediately forward to the State Department of Public Safety a copy of the traffic citation or an abstract of the record of said Court covering the case in which said person was so convicted or forfeited bail, which citation or abstract must be certified by the person so required to prepare the same to be true and correct or otherwise authenticated as required by the Department of Public Safety. Report need not be made of any conviction involving the illegal parking or standing of a vehicle or other non-moving violations.
- (C) Said citation must be submitted or abstract made upon a form furnished by or in a manner acceptable to the Department of Public Safety and shall include the name and address of the party charged, the number, if any, of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited and the amount of the fine or forfeiture as the case may be.
- (D) The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of this Section may constitute misconduct in office and be ground for removal therefrom.
- (E) The Department of Public Safety shall keep all abstracts or citations received hereunder at its main office and the same shall be open to public inspection during reasonable business hours. (1979)

CHAPTER 18
VEHICLE IMPOUNDMENT

- 11-18-1: Impounding Vehicles Illegally Parked**
- 11-18-2: Abandoned Vehicles--Police Officer Removing--Report**
- 11-18-3: Police Officer Authorized to Move Vehicle**
- 11-18-4: Notice to Owner of Impounded Vehicle**
- 11-18-5: Procedure for Owner to Claim Vehicle**
- 11-18-6: Advertisement and Auction of Unclaimed Vehicles**
- 11-18-7: Owner May Receive Proceeds of Sale--Conditions**
- 11-18-8: Record of Impoundment and Disposal of all Vehicles**
- 11-18-9: Impoundment of Vehicle Not to Prevent Criminal Prosecution**
- 11-18-10: Impoundment of Vehicles Improperly Registered**
- 11-18-1: IMPOUNDING VEHICLES ILLEGALLY PARKED.** The following vehicles, together with or in addition to any other vehicles parked in violation of any provision of this Title or the laws of the State, are hereby declared to be nuisances:
- (A) Any unattended vehicle stopped, standing, or parked in violation of any of the provisions of this Title.
 - (B) A vehicle found upon the streets or alleys of the City with faulty or defective equipment.
 - (C) A vehicle left unattended upon any bridge, viaduct, or at any subway where such vehicle constitutes an obstruction to traffic.
 - (D) Any vehicle upon a street so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
 - (E) Any vehicle left unattended upon a street or alley and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
 - (F) Any vehicle left parked in the same place on any street or alley continuously for 24 hours, or on any public or private property without express or implied consent of the owner or person in lawful possession or control of the property for a period in excess of seven days.
 - (G) Any vehicle the driver or person in control of which has been taken into custody by the Police Department under such circumstances as would leave the vehicle unattended in a street, alley, or restricted parking area.
 - (H) Any vehicle found being driven on the streets not in a proper condition to be driven.
 - (I) Any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus. The same may be summarily abated by removing any vehicle

by or under the directions or at the request of a police officer to a place of storage within the City by means of towing or otherwise. (1979)

11-18-2: ABANDONED VEHICLES--POLICE OFFICER REMOVING--REPORT. (See Section 41-6-116.10 UCA 1953)

- (A) No person shall abandon a vehicle upon any highway or elsewhere within the City, or leave any partially dismantled, non-operating, wrecked or junked vehicle on any street or highway within the City.
- (B) No person shall abandon a vehicle upon any public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.
- (C) Any police officer who has reasonable grounds to believe that a vehicle has been abandoned may remove the vehicle or cause it to be removed, at the expense of the owner, to the nearest State impound yard, or if none, to a garage or other place of safety and shall immediately send a written report of such removal to the State Tax Commission, Motor Vehicle Division, which report shall include a description of the vehicle, the date, time and place of removal, the grounds for removal, and the name of the garage or place where the vehicle is stored. Upon receipt of a report as provided, the State Tax Commission, Motor Vehicle Division, shall attempt to notify the registered owner of the vehicle, or any lien holder, giving the grounds for removal and the name of the garage or place where the vehicle is stored. If the vehicle is not registered in this State, the State Tax Commission, Motor Vehicle Division, shall make a reasonable effort to notify the registered owner or any lien holder of the removal and the location of the vehicle. The State Tax Commission, Motor Vehicle Division, shall forward a copy of the notice to the owner or person in charge of the garage or place where the vehicle is stored.
- (D) For the purposes of this Chapter, a vehicle shall be presumed to be abandoned if it is left unattended on a highway for a period in excess of 24 hours or on any public or private property without express or implied consent of the owner or person in lawful possession or control of the property for a period in excess of seven days.
- (E) In the event a vehicle is not reclaimed by the registered owner or any lien holder within 30 days, the provisions of Sections 41-1-79.5, 41-1-116, 41-1-117, and 41-1-135, Utah Code Annotated 1953, shall apply. (1979)

11-18-3: POLICE OFFICER AUTHORIZED TO MOVE VEHICLE. (See Section 41-6-102 UCA 1953) Whenever any police officer finds a vehicle in violation of either of the foregoing Sections of this Chapter, or of Section 11-14-12 of these Revised Ordinances, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same to a position off the roadway, or to cause it to be removed to the nearest State impound yard, garage or other place of safety, and shall thereupon, if he has reason to believe that the conditions set forth in the foregoing Section exist, follow the procedure set forth in Subsection (C) of the foregoing Section. (1979)

11-18-4: NOTICE TO OWNER OF IMPOUNDED VEHICLE. If a motor vehicle is impounded by a police officer for any of the reasons enumerated in Section 11-18-1 hereinabove, other than the abandonment of said vehicle, such officer, as soon as is reasonable under the circumstances, shall cause a written notice that the vehicle has been impounded to be mailed to the owner of the vehicle and any recorded lien holder thereof, at their last known addresses as shown by the records of the Motor Vehicle Division of the Utah State Tax Commission. If the license plates on the vehicle are from another State, written notice shall be mailed to the Department of Motor Vehicles in that State, requesting the Department to notify the registered owner of the vehicle that the same has been impounded by the Police Department, and that the same will

be sold at public auction as is provided by this Chapter, if not claimed by the owner or his proper representative. (1979)

11-18-5: PROCEDURE FOR OWNER TO CLAIM VEHICLE. Before the owner or his agent shall be permitted to remove a vehicle which has been impounded, he shall:

(A) Furnish satisfactory evidence to the Police Department of his identity and his ownership of the vehicle.

(B) Request and obtain from the Police Department a written order to the place of storage in which the vehicle is impounded, authorizing the release of the vehicle to the owner or his agent upon the payment to the place of storage of towing and storage charges reasonably incurred in the towing and storage of the vehicle from the date of said impounding to the time of presenting the order of release from the Police Department therefor.

(C) Sign a written receipt for the vehicle and deliver the same to the place of storage upon receiving the impounded vehicle. (1979)

11-18-6: ADVERTISEMENT AND AUCTION OF UNCLAIMED VEHICLES. In all cases where vehicles have been impounded for the reasons set forth in Section 11-18-1, other than because of the abandonment thereof according to Section 11-18-2 of this Chapter, if, at the expiration of 15 days after mailing the notice provided for in Section 11-18-4, such vehicle is not redeemed by the owner or his proper representative, the Chief of Police, or his authorized agent, shall proceed to sell the same at public auction to the highest bidder after first giving at least 10 days notice of the sale by publishing the notice at least once in a newspaper published in the City, stating the time and place of the sale. The notice shall also describe the vehicle to be sold with reasonable certainty and shall state to whom, if anyone, the records of the office of the Motor Vehicle Division of the State Tax Commission show the same to belong, and if the name of the owner be unknown, said fact shall be stated. If the name of the owner or recorded lien holder, if any, be known, the Police Department shall send the owner or recorded lien holder a copy of the notice as published immediately after the publication of the same, which notice shall be mailed to their last known addresses or their addresses as shown on the records of the Motor Vehicle Division. A copy of this notice as published, shall immediately after publication be mailed to the owner of the place of storage. The money received by the Chief of Police or his authorized agent from the sale of any vehicle shall be applied first to the actual cost of towing and storage of the impounded vehicle, then to pay the cost of advertising the notice of sale in an amount not to exceed \$20.00 for each vehicle so impounded, and the balance, if any, shall then be converted into the Treasury to be used as hereinafter provided. (1979)

11-18-7: OWNER MAY RECEIVE PROCEEDS OF SALE--CONDITIONS. At any time within one year from and after the sale, the former owner of the vehicle sold, upon application to the City Council, and upon presentation of satisfactory proof that he was the owner of the vehicle sold, shall be paid the proceeds of the sale, less the necessary expense thereof, and less the towing, impounding and storage charges provided for in Section 11-18-5. (1979)

11-18-8: RECORD OF IMPOUNDMENT AND DISPOSAL OF ALL VEHICLES. The Police Department shall keep a record of all vehicles impounded by manufacturer's trade name or make, body type, motor and license number, the names and addresses of all persons claiming the same, and such other descriptive matter as may identify the vehicles, the nature and circumstances of the impounding thereof, and the violation on account of which the vehicles were impounded, the date of the impounding, and the name and address of any person to whom any vehicle is released. (1979)

11-18-9: IMPOUNDMENT OF VEHICLE NOT TO PREVENT CRIMINAL PROSECUTION. The impounding of a vehicle shall not prevent or preclude the institution and prosecution of criminal proceedings against the owner or operator of the impounded vehicle. (1979)

11-18-10: IMPOUNDMENT OF VEHICLES IMPROPERLY REGISTERED.The Police Department shall immediately impound in a proper place of storage in the City all vehicles found that are improperly registered, stolen, or bear defaced motor numbers, and shall within 96 hours thereafter notify in writing the Motor Vehicle Division of the State Tax Commission of the impounding, setting forth in the notice the date found, the address where found, the make, registration number and date and place where stored. (1979)