

TITLE 7
MOTOR VEHICLES AND TRAFFIC

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CHAPTER 1

**STATE TRAFFIC CODE; ADMINISTRATION;
GENERAL PROVISIONS**

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7-1-1: **ADOPTION OF STATE TRAFFIC CODE:** The provisions of the state motor vehicle code, 47 Oklahoma Statutes section 1-101 et seq., and the rules of the road, 47 Oklahoma Statutes section 11-101 et seq., are hereby adopted and incorporated herein by reference, and are enforceable by the town within the town limits as fully as if set out at length herein. One copy of the adopted statutes shall be on file in the office of the town clerk-treasurer for examination by the public. (1999 Code § 15-125; amd. 2013 Code)

7-1-2: **DEFINITIONS:** For the purposes of this title, words and phrases used herein shall be as defined in the laws of the state regulating traffic, 47 Oklahoma Statutes section 1-101 et seq., which laws are hereby adopted by reference. (1999 Code § 15-101; amd. 2013 Code)

7-1-3: **APPLICATION OF REGULATIONS:** The provisions of this title shall apply to every street, highway, alley, roadway, sidewalk, driveway, park area, every other public way either within or outside the corporate limits of the town, the use of which the town has jurisdiction and authority to regulate, including, but not limited to:

- A. Those dedicated to or acquired by the public for public use;
- B. Those upon land owned by the town;
- C. Those upon land owned by any other governmental unit, but the regulation of the use of which has been given to the town;
- D. Those upon private property, the regulation of the use of which has been given to the town. (1999 Code § 15-102)

7-1-4: **COMPULSORY LIABILITY INSURANCE:** Requirements and exemptions in regard to compulsory liability insurance for persons operating motor vehicles within the town shall be pursuant to 47 Oklahoma Statutes section 7-600 et seq. (1999 Code § 15-126; amd. 2013 Code)

7-1-5: **ACCIDENTS:** The requirements of 47 Oklahoma Statutes section 10-101 et seq., shall apply to all drivers of motor vehicles involved in an accident within the town. (1999 Code § 15-118; amd. 2013 Code)

7-1-6: **VEHICLE EQUIPMENT GENERALLY:** Every vehicle operated upon the streets of the town shall be equipped as required by law. It is unlawful for any person to:

- A. Operate a vehicle upon a street of the town which is not equipped as required by law;

- B. Fail to use such equipment in the manner required by law, or to use it in a manner prohibited by law; or
- C. Operate a vehicle which has equipment prohibited by law upon a street in the town. (1999 Code § 15-103)

7-1-7: **SIZE, WEIGHT OF VEHICLES:**

- A. State Permit For Oversized Vehicle: No person shall drive on or convey through any street any vehicle the width, height, length, weight, or load of which exceeds that authorized by state law, except in accordance with a permit issued by state authority or by the chief of police.
- B. Weight Limitation: No vehicle weighing more than ten (10) tons shall be operated upon the streets, alleys and other public ways within the town, except on state highways. (1999 Code § 15-104)

7-1-8: **SECURING LOADS:**

- A. Preventing Load From Dropping Or Leaking: No vehicle shall be driven or moved on any street or alley unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or salt may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.
- B. Securing Load: No person shall operate on any street or alley any vehicle with any load unless the load, and any covering thereon, is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the streets or alleys.
- C. Exception, Livestock Or Agricultural Products: This section shall not apply to trucks loaded only with livestock, poultry or agricultural products, except baled agricultural products, but any such truck shall be constructed or loaded as to prevent the livestock or poultry from escaping therefrom. (1999 Code § 15-105)

7-1-9: **INSPECTION OF VEHICLES BY OFFICERS:** Police officers have authority to inspect and test any vehicle upon the streets of the town at any time to determine whether such vehicle is safe, whether it is properly equipped, and whether its equipment is in proper adjustment or repair. (1999 Code § 15-106)

7-1-10: **OPENING AND CLOSING VEHICLE DOORS:** No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1999 Code § 15-107)

7-1-11: **BOARDING OR ALIGHTING FROM VEHICLES:** No person shall board or alight from any vehicle while such vehicle is in motion. (1999 Code § 15-108)

7-1-12: **UNLAWFUL RIDING:** No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise. (1999 Code § 15-109)

7-1-13: **AUTHORIZING OR PERMITTING VIOLATIONS:** No person shall authorize or knowingly permit a vehicle owned by him, registered in his name or under his control, to be driven, parked or stopped in violation of any provision of this title. No parent of any child or guardian of any ward shall cause, authorize or knowingly permit such child or ward to violate any provision of this title. (1999 Code § 15-110)

7-1-14: **ANIMALS AND ANIMAL DRAWN VEHICLES:** Every person riding an animal or driving any animal drawn vehicle upon a roadway shall be subject to the provisions of this title applicable to the driver of a vehicle, except those provisions of this title which by their very nature can have no application. (1999 Code § 15-111; amd. 2013 Code)

7-1-15: WORKING ON STREETS; EXCEPTIONS:**A. Authority To Close Streets:**

1. The town employees or contractors, while repairing or improving the streets of the town, and utility company personnel, when installing, improving, or repairing lines of other utility facilities in the streets, are hereby authorized as necessary, subject to control by the board of trustees, to close any street or section thereof to traffic during such repair, maintenance or construction.

2. In exercising such authority, the employees, personnel or contractors shall erect or cause to be erected proper traffic control devices and barricades to warn and notify the public that the street has been closed to traffic.

B. Driving Restrictions:

1. When any street has been closed to traffic under the provisions of subsection A of this section and traffic control devices or barricades have been erected, it shall be unlawful for any person to drive any vehicle through, under, over, or around the traffic control devices or barricades, or otherwise to enter the closed area.

2. The provisions of this subsection shall not apply to persons while engaged in the construction, maintenance and repair, or to persons entering therein for the protection of lives or property.

3. Persons having their places of residence or places of business within the closed area may travel, when possible to do so, through the area at their own risk.

C. Construction Under Traffic:

1. Whenever construction, repair or maintenance of any street or utility line or facility is being performed under traffic, the employees, personnel, or contractor concerned shall erect, or cause to be erected, traffic control devices to warn and guide the public; and every person using the street shall obey all signs, signals, markings, flagmen or other traffic control devices which are placed to regulate, control, and guide traffic through the construction or maintenance area.

2. As used in this subsection, "construction or maintenance area" means any area upon or around any street that is visibly marked as

an area where construction, repair, and maintenance is temporarily occurring. The "construction or maintenance area" also includes the lanes of highway leading up to the area upon which an activity described in this section is being performed, beginning at the point where properly posted traffic control devices start to warn and guide the public into and through the construction or maintenance including, but not limited to, instructions to merge from one lane into another lane, to reduce speed, or to follow directions of flagmen.

- D. Removing Or Defacing Traffic Control Devices Or Barricades: No person shall remove, change, modify, deface or alter any traffic control device or barricade which has been erected on any street under the provisions of this section.
- E. Liability: Nothing in this section shall relieve the town or any of its contractors, agents, servants or employees from liability for failure to perform any of the duties imposed herein. (1999 Code § 15-112; amd. 2013 Code)

7-1-16: AUTHORIZED EMERGENCY VEHICLES:

A. Drivers Of Authorized Emergency Vehicles:

1. 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 privilege set forth in this subsection, but subject to the conditions herein stated.

2. The driver of an authorized emergency vehicle may:

- a. Park, or stand, irrespective of the provisions of this subsection;
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- c. Exceed the maximum speed limits so long as speeding does not endanger life or property;
- d. Disregard regulations governing direction of movement; and
- e. Disregard regulations governing turning in specified directions.

3. The exemptions herein granted to the driver of an authorized emergency vehicle shall apply only when the driver is properly and lawfully making use of an audible signal or of flashing red or blue lights or a combination of flashing red and blue lights meeting the requirements of Oklahoma Statutes, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red or blue light visible from in front of the vehicle. This subsection shall not be construed as requiring a peace officer operating a police vehicle properly and lawfully in response to a crime in progress to use audible signals.

4. The exemptions in subsections A2c and A2e of this section shall be granted to a law enforcement officer operating an authorized emergency vehicle for law enforcement purposes without using audible and visual signals required by this section as long as the action does not endanger life or property if the officer is following a suspected violator of the law with probable cause to believe that:

a. Knowledge of the presence of the officer will cause the suspect to:

(1) Destroy or lose evidence of a suspected felony;

(2) End a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for arrest; or

(3) Evade apprehension or identification of the suspect or the vehicle of the suspect; or

b. Because of traffic conditions, vehicles moving in response to the audible or visual signals may increase the potential for a collision.

c. The exceptions granted in this subsection A4 shall not apply to an officer who is in actual pursuit of a person who is eluding or attempting to elude the officer in violation of Oklahoma Statutes.

5. The provisions of this subsection shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of reckless disregard for the safety of others. (1999 Code § 15-113; amd. 2013 Code)

B. Operation Of Vehicles Upon Approach Of Authorized Emergency Vehicles:

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

2. This subsection shall not be construed to require a peace officer operating a police vehicle properly and lawfully in response to a crime in progress to use audible signals nor shall this subsection 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 street. (1999 Code § 15-114; amd. 2013 Code)

7-1-17: **FOLLOWING FIRE APPARATUS OR OTHER EMERGENCY VEHICLES; CROSSING FIRE HOSE:**

A. Following Fire Apparatus, Other Emergency Vehicles:

1. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

2. The driver of any vehicle other than one on official business shall not follow any emergency vehicle or shall not purposely drive to any location on a street where an emergency exists which would interfere with the free movement of authorized emergency vehicles or any other traffic using the street at that location. For the purpose of this subsection, the definition of "emergency" shall include traffic accidents, airplane accidents, disasters, explosions, civil disturbances and (without limitation by the foregoing) any other related circumstances which tend to cause traffic congestion. (1999 Code § 15-115; amd. 2013 Code)

- B. Crossing Fire Hose: No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (1999 Code § 15-116)

7-1-18: DUTY OF POLICE AND FIREFIGHTERS:

- A. Police Department: The police department shall have the power to enforce the street traffic regulations of the town and all of the state vehicle laws applicable to street traffic in the town, to make arrests for traffic violations, to investigate accidents and to cooperate with the officers of the town in the administration of the traffic laws and in developing ways and means to improve traffic conditions.
- B. Fire Department: Officers of the fire department, when at the scene of a fire or other emergency, may direct or assist the police in directing traffic there or in the immediate vicinity. (1999 Code § 15-117)

7-1-19: LOUD MUSIC OR NOISE FROM VEHICLES:

- A. Emitting Sounds: It shall be unlawful for any moving, parked, or sitting vehicle to emit loud or amplified music or sound from a motor vehicle as defined by Oklahoma Statutes and including, but not limited to, self-propelled or motor driven cycle, minibike, golf cart, and any all-terrain vehicle within the limits of the town. This includes all roadways, alley, and streets within the town limits during any hours of the day or night. This section applies to music or sound emitted from any vehicle as listed in this subsection equipped with radio, stereo, or any other equipment, stock or modified sound systems. Violation of this section shall be defined as music, sounds or noise which shall be heard more than twenty five feet (25') from any vehicle listed in this subsection which is moving, parked or sitting.
- B. Penalties:
1. Any person violating the provisions of subsection A of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty dollars (\$50.00), plus court costs.

2. If found guilty of violating the provisions of this section between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M., the court shall have the discretion to double the fine as set forth in subsection B1 of this section for any violator. (Ord. 345, 7-20-2009)

7-1-20: **SEAT BELTS AND CHILD PASSENGER RESTRAINTS:**

A. **Seat Belt Required:**

1. Every operator and front seat passenger of a class A commercial motor vehicle, class B commercial motor vehicle, class C commercial motor vehicle, or a passenger vehicle operated in the town shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 CFR section 571.208. For the purposes of this subsection, "passenger vehicle" shall mean a class D motor vehicle, but shall not include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles, or a vehicle used primarily for farm use which is registered and licensed pursuant to Oklahoma Statutes.

2. The state commissioner of public safety, upon application from a person who, for medical reasons, is unable to wear a safety seat belt system supported by written attestation of such fact from a physician licensed pursuant to Oklahoma Statutes, may issue to the person an exemption from the provisions of this subsection. The exemption shall be in the form of a restriction appearing on the driver's license of the person and shall remain in effect until the expiration date of the driver's license. Nothing in this subsection shall be construed to prevent the person from applying for another exemption as provided for in this subsection. The issuance of an attestation by a physician and the subsequent issuance of an exemption by the state commissioner, in good faith, shall not give rise to, nor shall the physician and the state thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of failure of the person to wear a safety seat belt system.

3. This subsection shall not apply to an operator of a motor vehicle while performing official duties as a route carrier of the U.S. postal service.

4. Fine and court costs for violation of the provisions of this subsection shall not exceed twenty dollars (\$20.00).

B. Child Passenger Restraints:

1. Every driver, when transporting a child under six (6) years of age in a motor vehicle operated on the streets of the town, shall provide for the protection of said child by properly using a child passenger restraint system. For purposes of this subsection, "child passenger restraint system" means an infant or child passenger restraint system which meets the federal standards as set by 49 CFR section 571.213.

2. Children at least six (6) years of age but younger than thirteen (13) years of age shall be protected by use of a child passenger restraint system or a seat belt.

3. The provisions of this subsection shall not apply to:

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

b. The driver of an ambulance or emergency vehicle;

c. The driver of a vehicle in which all of the seat belts are in use;

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

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

4. A violation of the provisions of this subsection shall be admissible as evidence in any civil action or proceeding for damages unless the plaintiff in such action or proceeding is a child under sixteen (16) years of age. In any action brought by or on behalf of an infant for personal injuries or wrongful death sustained in a motor vehicle collision, the failure of any person to have the infant properly restrained in accordance with the provisions of this subsection shall not be used in aggravation or mitigation of damages.

5. A person who is certified as a child passenger safety technician and who in good faith provides inspection, adjustment, or educational services regarding child passenger restraint systems shall not be liable for civil damages resulting from any act or omission in providing such services, other than acts or omissions constituting gross negligence or wilful or wanton misconduct.

6. Any person convicted of violating subsection B1 or B2 of this section shall be punished by a fine of fifty dollars (\$50.00) and shall pay all court costs thereof. Revenue from such fine shall be apportioned to the state department of public safety restricted revolving fund and used by the Oklahoma highway safety office to promote the use of child passenger restraint systems. This fine shall be suspended and the court costs limited to a maximum of fifteen dollars (\$15.00) in the case of the first offense upon proof of purchase or acquisition by loan of a child passenger restraint system. (1999 Code § 15-216; amd. 2013 Code)

7-1-21: **TRAFFIC CITATIONS:**

A. Issuance:

1. The chief of police is hereby authorized and directed to supply police officers with citation books in sets, each set consisting of an original and at least two (2) duplicate copies, for the purpose of giving notice to persons violating any provision of this title.

2. Notice may be given by delivering the tags to the violator or by affixing such tag to the vehicle involved in the violation.

3. Each citation tag shall direct the violator to appear and to present such tag at a designated place on or before a date and hour specified thereon. Each tag shall bear the registration number of the vehicle.

4. Nothing in this subsection shall be construed to abridge the power of a police officer to arrest any violator and take him into custody. (1999 Code § 15-119; amd. 2013 Code)
- B. Failure To Obey: It is unlawful and an offense for any person to violate his written promise to appear, given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which the citation was originally issued. (1999 Code § 15-120)
- C. Disposition And Records Of Citations, Complaints:
1. Every police officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of the state or any traffic law of the town, shall deposit the original and a duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the municipal court.
 2. Upon the filing of the original citation in the municipal court, the citation may be disposed of only by trial in the court or by other official action by a judge of the court, including forfeiture of bail or by payment of a fine.
 3. The chief of police shall maintain a record of all warrants issued by the municipal court which are delivered to the police department for service, and of the final disposition of the warrants.
 4. No member of the police department or other officer or public employee shall dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this chapter. (1999 Code § 15-123)
- D. Court Records; Abstract Sent To State:
1. The municipal court clerk shall keep a record of every traffic citation deposited with or presented to the court and shall keep a record of every official action by the court or its traffic violations bureau in reference thereto, including, but not limited to, a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture. (1999 Code § 15-124)
 2. Within five (5) days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicles on highways, the

municipal judge or clerk of the court in which the conviction was had or bail was forfeited shall prepare and immediately forward to the state department of public safety a certified abstract of the court's record of the case. An abstract need not be made of any conviction involving the illegal parking or standing of a vehicle. (1999 Code § 15-124; amd. 2013 Code)

3. The abstract must be made upon a form furnished by the state department of public safety and shall include the name and address of the party charged, the number of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail was forfeited, and the amount of the fine or forfeiture. (1999 Code § 15-124)

7-1-22: **PENALTY FOR VIOLATIONS:** Any violations of the provisions of this title shall be punishable as provided in section 1-4-1 of this code. (1999 Code § 15-601)

CHAPTER 2

VEHICLE OPERATION GENERALLY

SECTION:

- 7-2- 1: Operation Of Vehicles Generally
- 7-2- 2: Licensing Requirements
- 7-2- 3: Speed Regulations
- 7-2- 4: Turning And Signals
- 7-2- 5: Driving On Right Side; Exceptions
- 7-2- 6: Right Of Way Generally
- 7-2- 7: Starting Parked Vehicle
- 7-2- 8: Reckless Driving
- 7-2- 9: Driving While Impaired Or Under The Influence
- 7-2-10: Driving On Sidewalk
- 7-2-11: Limitations On Backing
- 7-2-12: Corner Cutting
- 7-2-13: Emerging From Alley, Driveway Or Building

7-2-1: **OPERATION OF VEHICLES GENERALLY:** Every person operating a vehicle in the town shall at all times operate the vehicle in a prudent and careful manner and in compliance with the laws of the town and state, having due regard for other vehicles, rights of pedestrians, and property of others. (1999 Code § 15-201)

7-2-2: **LICENSING REQUIREMENTS:**

- A. Driver's License: It is unlawful for any person who does not have a driver's license as required by state law for operation of a vehicle upon the state highways, to operate a motor vehicle within the town, or to operate a motor vehicle within the town in violation of any restriction applied to the driver's license. (1999 Code § 15-202)
- B. Vehicle License: No person shall drive, propel, move, or park on the streets of the town any motor vehicle, trailer, or semitrailer unless the motor vehicle, trailer, or semitrailer is licensed as required by

state law and the license is conspicuously displayed thereon. (1999 Code § 15-203)

- C. **Unlicensed Vehicles:** It is unlawful for any person to park any motor vehicle not bearing a current motor vehicle license tag or tags on any street or highway within the town. (1999 Code § 15-204)

7-2-3: **SPEED REGULATIONS:**

A. **General Rule:**

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

2. The driver of every vehicle shall, consistent with the requirements of subsection A1 of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when driving 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. (1999 Code § 15-220)

B. **General Maximum Speed Limit:**

1. No vehicle, unless specifically authorized by some other section of this code or by posted signs, shall be driven at a speed greater than twenty five (25) miles per hour upon any street within the town.

2. The board of trustees may determine that certain other speed regulations shall be applicable upon specified streets in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof. (1999 Code § 15-221)

- C. **School Zones:** No person shall operate a motor vehicle in excess of fifteen (15) miles per hour between the hours or times as posted over or upon any portion of the public streets of the town which have been designated as school zones and marked as school zones in the

manner provided by the statutes and regulations of the state. (1999 Code § 15-222)

7-2-4: **TURNING AND SIGNALS:**

A. Required Position, Method Of Turning At Intersections: The driver of a vehicle intending to turn at an intersection shall do so as follows:

1. Right Turns: Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

2. Left Turns: The driver of a vehicle intending to turn left at an intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle. After entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered. Whenever practicable, when leaving a two-way roadway, the left turn shall be made in that portion of the intersection to the left of the center of the intersection. (1999 Code § 15-250; amd. 2013 Code)

B. Vehicle Turning Left: The driver of a vehicle intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is so close thereto when initiating such turn as to constitute an immediate hazard. (1999 Code § 15-209; amd. 2013 Code)

C. Turns And U-Turns:

1. The board of trustees may 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.

2. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (1999 Code § 15-251)

D. Turning, Stopping Signals Required:

1. No person shall turn a vehicle at an intersection, a public or private road, or a driveway unless the vehicle is in proper position upon the roadway, or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal as provided in subsection D2 of this section, in the event any other traffic may be affected by such movement.

2. A signal of intention to turn right or left as required by law shall be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning.

3. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in subsection D2 of this section to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

4. When any person is properly preparing for, attempting or executing a left turn, as described in subsection D1 of this section, no other person operating another vehicle immediately following the turning vehicle shall pass or attempt to pass the turning vehicle to the left. Such other person shall come to a complete stop if necessary at a safe distance behind the person preparing for, attempting or executing the turn or may proceed to the right of the turning vehicle. (1999 Code § 15-252; amd. 2013 Code)

7-2-5: **DRIVING ON RIGHT SIDE; EXCEPTIONS:**

A. Driving On Right; Exceptions: 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 laws governing such movement; or

2. When an obstruction exists making it necessary to drive to the left of the center of the street; provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the street within such distance as to constitute an immediate hazard;

- B. **Slow Moving Traffic:** Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane when available for traffic, or as close as practicable to the right hand curb or edge of the roadway and may be temporarily driven upon the right hand shoulder for the purpose of permitting other vehicles to pass. This subsection shall not apply 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. (1999 Code § 15-207; amd. 2013 Code)

7-2-6: **RIGHT OF WAY GENERALLY:** The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different street; provided, that the driver of a vehicle on a street which is not a state or federal highway approaching an intersection with a state or federal highway shall stop and yield the right of way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard. When two (2) vehicles enter or approach an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right. (1999 Code § 15-208)

7-2-7: **STARTING PARKED VEHICLE:** No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made in safety. (1999 Code § 15-206)

7-2-8: **RECKLESS DRIVING:** It is unlawful for any person to drive recklessly in the town. It shall be deemed reckless driving for any person to drive a motor vehicle in a careless or wanton manner without regard for the safety of persons or property or at a heedless or dangerous rate of speed. (1999 Code § 15-210; amd. 2013 Code)

7-2-9: **DRIVING WHILE IMPAIRED OR UNDER THE INFLUENCE:**

- A. It is unlawful for any person who is under the influence of intoxicating liquor to drive, operate, or be in actual physical control of any motor vehicle within the town. (1999 Code § 15-211)

- B. It is unlawful for any person whose ability to drive, operate or be in actual physical control of any motor vehicle is impaired due to consumption of intoxicating liquor or low point beer. (1999 Code § 15-211; amd. 2013 Code)
- C. It is unlawful for any person who is a habitual user of or under the influence of any narcotic, drug, barbiturate, amphetamine, marijuana, or who is under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle to drive a motor vehicle within the town. The fact that any person charged with a violation of this subsection is or has been lawfully entitled to use such narcotic drug, barbiturate, amphetamine, marijuana, or other drug shall not constitute a defense against any charge of violating this subsection. (1999 Code § 15-211)

7-2-10: **DRIVING ON SIDEWALK:** The driver of a vehicle shall not drive within any sidewalk area, except at a permanent or temporary driveway. (1999 Code § 15-212)

7-2-11: **LIMITATIONS ON BACKING:** The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (1999 Code § 15-213)

7-2-12: **CORNER CUTTING:**

- A. No person shall drive a vehicle through any service drive or upon any parking facility, except with the intent of availing himself or herself of the services offered on the premises served by the service drive or parking facility.
- B. No person shall drive a vehicle through any service drive or across any parking facility for the purpose of shortening their travel distance, avoiding a traffic control device, avoiding using the streets for travel, or turning a vehicle so as to proceed in opposite direction on the street from which it entered the drive. (1999 Code § 15-214)

7-2-13: **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 the vehicle

immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and, upon entering the roadway, shall yield the right of way to all vehicles approaching on the roadway. (1999 Code § 15-215)

CHAPTER 3

PARKING REGULATIONS

SECTION:

- 7-3-1: Parking Prohibited In Specific Places
- 7-3-2: Selling Merchandise From Parked Vehicles
- 7-3-3: Handicapped Parking On Public Or Private Property
- 7-3-4: Presumption In Reference To Illegal Parking

7-3-1: **PARKING PROHIBITED IN SPECIFIC PLACES:**

- A. Prohibited Places: Except as otherwise provided in subsection B of this section, no person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:
1. On a sidewalk;
 2. In front of a public or private driveway;
 3. Within fifteen feet (15') of a fire hydrant, or if in an area serviced by a volunteer fire department, within thirty feet (30') of a fire hydrant;
 4. Within an intersection;
 5. On a crosswalk;
 6. Within twenty feet (20') of a crosswalk at an intersection;
 7. Within thirty feet (30') upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
 8. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety

zone, unless the authority having jurisdiction indicates a different length by signs or marking;

9. Within fifty feet (50') of the nearest rail of a railroad crossing;

10. Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy five feet (75') of said entrance (when properly signposted);

11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

13. Upon any bridge or other elevated structure upon a highway or within a highway underpass;

14. At any place where official signs prohibit stopping.

B. Solid Waste Collection Vehicles: No person engaging in the collection and disposal of solid waste or recycling material, or both, as a business, pursuant to the provisions of the Oklahoma solid waste management act¹, shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

1. On a sidewalk;

2. Within an intersection;

3. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

4. Upon any bridge or other elevated structure upon a highway or within a highway underpass; or

5. At any place where official signs prohibit stopping.

1. 27A OS § 2-10-101 et seq.

- C. **Moving Vehicle Of Another Into Prohibited Area:** No person shall move a vehicle not lawfully under the control of the person into any prohibited area or away from a curb such distance as is unlawful. (1999 Code § 15-235; amd. 2013 Code)

7-3-2: **SELLING MERCHANDISE FROM PARKED VEHICLES:** It is unlawful for any person to park any vehicle upon a street in the town and offer merchandise for sale therefrom. In addition to the penalty provided in this title, the sale of merchandise from parked vehicles on streets in the town is declared to be dangerous to traffic and to the persons congregating around the vehicle and constitutes a public nuisance. (1999 Code § 15-238)

7-3-3: **HANDICAPPED PARKING ON PUBLIC OR PRIVATE PROPERTY:**

- A. **Prohibition:** It is unlawful for any person to place or park a motor vehicle in any parking space on private property accessible to the public and where the public is invited or public property that is designated and posted as a reserved area for parking of motor vehicles of a physically disabled person unless such person has a physical disability insignia as under the provisions of 47 Oklahoma Statutes section 15-112, and such insignias are displayed as provided in 47 Oklahoma Statutes section 15-112 or regulations adopted pursuant thereto.
- B. **Penalty:** Any person who shall violate any of the provisions of this section shall be guilty of an offense and, upon conviction thereof, shall be punishable as provided in section 1-4-1 of this code. (1999 Code § 15-240)

7-3-4: **PRESUMPTION IN REFERENCE TO ILLEGAL PARKING:**

- A. **Registered Owner Liable:** In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any law or regulation, together with proof that the defendant named in the complaint was at the time of the parking the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was

the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

- B. Application Of Section: The presumption in subsection A of this section shall apply only when the procedure as prescribed in this chapter has been followed. (1999 Code § 15-239)

CHAPTER 4

**TRAFFIC SIGNALS AND DEVICES;
STOP AND ONE-WAY STREETS**

SECTION:

- 7-4- 1: Obedience To Devices
- 7-4- 2: Necessity Of Signs
- 7-4- 3: Interference With Devices, Signs Or Signals
- 7-4- 4: Presumption Of Legality
- 7-4- 5: Ratification Of Existing Devices
- 7-4- 6: Traffic Control Signal Legend
- 7-4- 7: Flashing Signals
- 7-4- 8: Driving Within Traffic Lanes
- 7-4- 9: One-Way Streets And Alleys
- 7-4-10: Through Streets
- 7-4-11: Stop And Yield Signs

7-4-1: **OBEDIENCE TO DEVICES:** The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this title unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title. (1999 Code § 15-301)

7-4-2: **NECESSITY OF SIGNS:** No provision of the title for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place. (1999 Code § 15-302)

7-4-3: **INTERFERENCE WITH DEVICES, SIGNS OR SIGNALS:** No person shall, without lawful authority, attempt to or, in fact,

alter, deface, injure, knock down or remove any official traffic control device, including any 911 emergency telephone service route markers, or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof. (1999 Code § 15-303; amd. 2013 Code)

7-4-4: **PRESUMPTION OF LEGALITY:**

- A. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this chapter, 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.

- B. Any official traffic control device placed pursuant to the provisions of this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence. (1999 Code § 15-304)

7-4-5: **RATIFICATION OF EXISTING DEVICES:** All traffic control signs, signals, devices and markings placed or erected prior to the effective date hereof and in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic control devices, provided such traffic control devices are not inconsistent with the provisions of this chapter or state law. (1999 Code § 15-305)

7-4-6: **TRAFFIC CONTROL SIGNAL LEGEND:** Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend. These lights shall indicate appropriate action and apply to drivers of vehicles and pedestrians as provided by applicable state law. (1999 Code § 15-306)

7-4-7: **FLASHING SIGNALS:**

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

1. Flashing Red (Stop Signal): When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the requirements of law applicable after making a stop at a stop sign.

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

- B. Exception: This section shall not apply at railroad grade crossings. (1999 Code § 15-307; amd. 2013 Code)

7-4-8: **DRIVING WITHIN TRAFFIC LANES:**

- A. Driving Within Marked Lanes Required: Where traffic lanes have been marked, it shall be unlawful for the driver of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement or as otherwise authorized by ordinance. (1999 Code § 15-308)

- B. Rules For Driving Within Lanes: Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following requirements, in addition to all others consistent herewith, shall apply:

1. A vehicle shall be driven as nearly as practicable entirely within a single lane.

2. A vehicle shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and then given a signal, not less than the last one hundred feet (100') traveled by the vehicle, of his intention to change lanes.

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

4. A two-way left turn lane is a lane near the center of the highway set aside for use by vehicles making left turns in both directions from or into the roadway. Two-way left turn lanes shall be designated by distinctive roadway markings consisting of parallel double yellow lines, interior line dashed and exterior line solid, on each side of the lane. A vehicle shall not be driven in a designated two-way left turn lane except when preparing for or making a left turn from or into a roadway. Vehicles turning left from the roadway shall not be driven in the two-way left turn lane for more than two hundred feet (200') while preparing for and making the turn. A vehicle turning left onto the roadway may utilize the two-way left turn lane as a staging area by stopping and waiting for traffic proceeding in the same direction to clear before merging into the adjacent lanes of travel. A left turn shall not be made from any other lane where a two-way left turn lane has been designated. Provided, however, this section shall not prohibit driving across a two-way left turn lane when moving from a service drive onto such marked roadway.

5. Upon a roadway which is divided into four (4) or more lanes, a vehicle shall not impede the normal flow of traffic by driving in the left lane; provided, however, this subsection shall not prohibit driving in a lane other than the right hand lane when traffic conditions or flow, or both, or road configuration, such as the potential of merging traffic, require the use of lanes other than the right hand lane to maintain safe traffic conditions.

6. Official signs may be erected directing slow moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign. (1999 Code § 15-308; amd. 2013 Code)

7-4-9: **ONE-WAY STREETS AND ALLEYS:**

A. Designation; Posting Of Signs:

1. Whenever any ordinance or resolution of the town designates any one-way street or alley, the appropriate town personnel shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless the signs are in place.

2. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

- B. Traffic Movement In Posted Direction: Upon those streets and parts of streets, and in those alleys designated as one-way streets or alleys, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. (1999 Code § 15-309)

7-4-10: **THROUGH STREETS:**

- A. Designation: The board of trustees, by motion, ordinance or resolution, may designate any street or part of a street a through street. (1999 Code § 15-310; amd. 2013 Code)
- B. Signs Posted: Whenever a through street is designated by the board of trustees, the appropriate town personnel shall be directed to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection, a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals. (1999 Code § 15-311)

7-4-11: **STOP AND YIELD SIGNS:**

- A. Stop Signs:
1. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.
 2. After having stopped at a stop sign, the driver of a vehicle shall yield the right of way to any vehicle which has entered the intersection from another street or which is approaching so closely on the street as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right of way to the vehicle so proceeding. (1999 Code § 15-312)

B. Yield Signs:

1. The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, the driver shall stop at a clearly marked stop line, or if no stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

2. The driver approaching a yield sign shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. The driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way. (1999 Code § 15-313)

CHAPTER 5

BICYCLES AND MOTORIZED SCOOTERS

SECTION:

- 7-5-1: Application Of Traffic Regulations
- 7-5-2: Obedience To Traffic Control Devices
- 7-5-3: Riding On Bicycles Or Motorized Scooters
- 7-5-4: Use Of Right Side Of Roadway
- 7-5-5: Riding Abreast
- 7-5-6: Speed
- 7-5-7: Riding On Sidewalks
- 7-5-8: Lights And Reflectors

7-5-1: **APPLICATION OF TRAFFIC REGULATIONS:**

A. Regulations Applicable Generally:

1. It is unlawful for any person to do any act or fail to perform any act required by the provisions of this chapter.

2. The parent of any child or 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. (1999 Code § 15-401)

3. The provisions of this chapter are applicable to bicycles and motorized scooters operated upon any street or highway or upon any path set aside for the exclusive use of bicycles and motorized scooters. (1999 Code § 15-401; amd. 2013 Code)

- B. Traffic Laws And Regulations Apply: Every person riding a bicycle or motorized scooter upon a roadway shall be granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of the state declaring rules of the road applicable to vehicles or by the traffic ordinances of the town applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of law and ordinances which by

their nature can have no application. (1999 Code § 15-402; amd. 2013 Code)

7-5-2: OBEDIENCE TO TRAFFIC CONTROL DEVICES:

- A. **Compliance With Traffic Control Signals:** Any person operating a bicycle or motorized scooter shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle or motorized scooter shall disobey the direction of any such sign, except where such person dismounts from the bicycle or motorized scooter to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (1999 Code § 15-403; amd. 2013 Code)
- B. **Walking Of Bicycles:** Any person may walk bicycles and shall then be subject to all laws applicable to pedestrians. (1999 Code § 15-403)

7-5-3: RIDING ON BICYCLES OR MOTORIZED SCOOTERS: A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle or motorized scooter shall be used to carry more persons at one time than the number for which it is designed and equipped. (1999 Code § 15-404; amd. 2013 Code)

7-5-4: USE OF RIGHT SIDE OF ROADWAY: Every person operating a bicycle or motorized scooter 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. (1999 Code § 15-405; amd. 2013 Code)

7-5-5: RIDING ABREAST: Persons riding bicycles or motorized scooters upon a roadway shall not ride more than two (2) abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles or motorized scooter. (1999 Code § 15-406; amd. 2013 Code)

7-5-6: **SPEED:** No person shall operate a bicycle or motorized scooter at a speed greater than is reasonable and prudent under the conditions then existing. (1999 Code § 15-407; amd. 2013 Code)

7-5-7: **RIDING ON SIDEWALKS:** Bicycles or motorized scooters may not be ridden upon any sidewalk within the town. (1999 Code § 15-408; amd. 2013 Code)

7-5-8: **LIGHTS AND REFLECTORS:** Every bicycle or motorized scooter, when in use at nighttime, shall be equipped with a lamp on the frame which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type approved by the state department of public safety, which shall be visible from all distances from three hundred feet (300') to five hundred feet (500') to the rear when directly in front of lawful upper beams of headlamps of a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector. (1999 Code § 15-409; amd. 2013 Code)

CHAPTER 6

MINIBIKES, GOLF CARTS AND ALL-TERRAIN VEHICLES

SECTION:

- 7-6-1: Definitions
7-6-2: Limitation Of Activities
7-6-3: Rules And Regulations
7-6-4: Prohibited Acts
7-6-5: Penalty; Bond Schedule

7-6-1: **DEFINITIONS:** For purposes of this chapter, the following words and phrases shall have the meanings given herein:

**ALL-TERRAIN
VEHICLE:**

A motorized vehicle manufactured and used exclusively for off highway use which is forty eight inches (48") or less in width, with an unladen dry weight of eight hundred (800) pounds or less, traveling on two (2) or more low pressure tires, having a seat designed to be straddled by the operative, and which is steered by the use of handlebars.

GOLF CART:

Any three (3) or four (4) wheeled vehicle, with a seat height of more than fifteen inches (15"), powered by a gasoline or electric motor, and capable of carrying or transporting an operator/driver of the vehicle and at least one passenger in a side by side seating configuration.

PERSON:

Any natural person.

TOWN PROPERTY:

All real property wherein the town of Arnett, Oklahoma, has a fee simple interest therein, any of town of Arnett, Oklahoma's public trusts, all easements, platted streets, alleys, and sidewalks within the municipal limits of the town

of Arnett, Oklahoma, which the town of Arnett, Oklahoma, has jurisdiction to regulate the same. (Ord. 339 revised, 5-24-2010)

7-6-2: LIMITATION OF ACTIVITIES:

- A. Enforcement Of State Laws: All applicable Oklahoma state laws and statutes addressing or pertaining to vehicular operation, including those related to the possession and use of alcoholic beverages, traffic laws, including speed limits, etc., shall be observed and enforced at all times.

- B. Driving To Far Right Side Of Roadway: Drivers or operators of self-propelled or motor driven cycles, including minibikes, golf carts, and all-terrain vehicles, shall stay to the far right of the traveled portion of the road and yield the right of way to overtaking vehicles.

- C. Waiver Of Liability And Hold Harmless Clause: Every driver or operator of self-propelled or motor driven cycles, including minibikes, golf carts, and all-terrain vehicles shall sign a waiver of liability and hold harmless clause to the town; and, in the event said driver or operator is below the age of eighteen (18) years, the parent or legal guardian shall sign the same; and, in the event an individual above the age of eighteen (18) years is incapacitated with a court appointed guardian, said guardian shall sign the same. (Ord. 339 revised, 5-24-2010)

7-6-3: RULES AND REGULATIONS:

- A. The board of trustees shall adopt such other rules, regulations, and policies not otherwise stated herein as they deem best for the safety and convenience of the public and for the operation of golf carts within the limits of the town.

- B. When such rules and regulations have been adopted and approved, they shall be filed in the office of the town clerk-treasurer.

- C. Any person found guilty of violating such rules and regulations shall be subject to the penalties set forth in this chapter. (Ord. 339 revised, 5-24-2010)

7-6-4: PROHIBITED ACTS:**A. Golf Carts:**

1. No person under the age of thirteen (13) years may operate/drive a golf cart upon the public streets within the town and/or other town property.
2. Any person thirteen (13) or fourteen (14) years of age may operate/drive a golf cart upon the public streets within the town and/or other town property, provided they are accompanied by an individual possessing a valid Oklahoma driver's license.
3. Any person between the ages of fifteen (15) years and eighteen (18) years may operate/drive a golf cart upon the public streets within the town and/or other town property, provided they have a valid Oklahoma driver's license.
4. No person shall stand on a golf cart while it is in operation, including when it is parked and the engine is engaged.
5. No person who is the owner of a golf cart shall permit the same to be operated in violation of these rules and regulations.
6. No person shall drive or operate a golf cart on the east/west street known as State Highway 60.
7. No person shall drive or operate a golf cart on the north/south street known as State Highway 46.
8. No person shall drive or operate a golf cart at night unless said golf cart is equipped with functional headlights and taillights and the same are in operation at that time; and, in no event shall the same be operated after eight o'clock (8:00) P.M.
9. No person shall transport or carry more passengers than the number of passengers which said cart was designed to carry or transport during its operation.
10. No person whose driving privileges have been revoked or suspended by the Oklahoma department of public safety may operate/drive a golf cart upon the public streets within the town and/or other town property.

B. All-Terrain Vehicles:

1. It shall be unlawful for a person less than eighteen (18) years of age to operate or to be carried as a passenger upon an all-terrain vehicle unless the person wears a crash helmet of a type which complies with standards established by 49 CFR section 571.218.
2. It shall be unlawful for the operator of an all-terrain vehicle to carry a passenger unless that all-terrain vehicle has been specifically designed by the manufacturer to carry a passenger in addition to the operator.
3. Any parent, legal guardian or person having actual responsibility for a person under eighteen (18) years of age, who knows, or should have known, that the person operating the all-terrain vehicle is not in compliance with the provisions of this chapter shall be punishable according to section 7-6-5 of this chapter.
4. Any person operating an all-terrain vehicle within the town limits shall not operate said all-terrain vehicle on any sidewalks within the town limits.
5. Any person operating an all-terrain vehicle within the town limits may only do so during the hours of six o'clock (6:00) A.M. and eight o'clock (8:00) P.M.
6. Any person not possessing a valid Oklahoma driver's license may make application to the town for a permit to operate an all-terrain vehicle within its town limits. Said person shall be required to successfully pass an operational test with said vehicle, with said test administered by the police department. (Ord. 339 revised, 5-24-2010)

7-6-5: **PENALTY; BOND SCHEDULE:**

- A. Penalty: The fine for violation of this chapter shall be in the amount of one hundred dollars (\$100.00) per violation.
- B. Violation Of State Traffic Laws: It shall be further understood that any violation of 47 Oklahoma Statutes shall be in the amount as set forth in the bond schedule adopted by the board of trustees. (Ord. 339 revised, 5-24-2010; amd. 2013 Code)

CHAPTER 7

VEHICLE IMPOUNDMENT

SECTION:

- 7-7- 1: Purpose And Effect
- 7-7- 2: Place Of Impoundment
- 7-7- 3: Duration Of Impoundment
- 7-7- 4: Police Authority To Impound
- 7-7- 5: Arrest And Detention Of Driver
- 7-7- 6: Disabled Vehicles
- 7-7- 7: Vehicles On Bridge
- 7-7- 8: Vehicle Constitutes Traffic Hazard
- 7-7- 9: Illegal Trespass By Vehicle; Complaint
- 7-7-10: Vehicles Parked Overtime
- 7-7-11: Blocking Fire Exits Or Hydrants
- 7-7-12: Vehicles Parked In Intersection
- 7-7-13: Stolen Vehicles; Recovery By Police
- 7-7-14: Vehicles With Outstanding Traffic Citations
- 7-7-15: Inventory Of Impounded Vehicles

7-7-1: **PURPOSE AND EFFECT:** The impoundment of vehicles under authority of the provisions of this chapter shall be construed as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations, protection of the public rights in the use of streets and thoroughfares from obstructions placed and left in derogation of those rights, and for safeguarding and protecting recovered stolen vehicles. (1999 Code § 15-501)

7-7-2: **PLACE OF IMPOUNDMENT:** Every vehicle that is impounded under the provisions of this chapter shall be removed to the nearest garage or place of safekeeping designated by the town board of trustees, and to no other place. (1999 Code § 15-502)

7-7-3: DURATION OF IMPOUNDMENT:

- A. Order For Release: Except as otherwise provided, any vehicle impounded under the authority of this chapter shall be stored and held safely until an order for its release is received from an officer of the traffic violations bureau or other proper police officer.
- B. Payment Of Impoundment Costs: The order of release of an impounded vehicle shall be conditioned upon the payment by the person to whom the release is issued of all impoundment costs and accrued storage charges assessed against the vehicle. (1999 Code § 15-503)

7-7-4: POLICE AUTHORITY TO IMPOUND: Members of the police department are hereby authorized within the limits set forth in this chapter to impound vehicles under the circumstances hereinafter enumerated. No impoundment shall be valid unless made under order of an authorized police officer and in strict adherence with the procedures required in this chapter. (1999 Code § 15-504)

7-7-5: ARREST AND DETENTION OF DRIVER: Whenever the driver or person in charge of any vehicle is placed under arrest and taken into custody and detained by police under circumstances which leave or will leave a vehicle unattended on any street or highway, the vehicle may be impounded. (1999 Code § 15-507)

7-7-6: DISABLED VEHICLES: A disabled vehicle upon a street or highway may be impounded under the following circumstances:

- A. If left unattended and improperly parked on a street or highway and constitutes a definite hazard or obstruction to the normal movement of traffic; or
- B. If the person in charge of the vehicle is physically incapacitated to such extent as to be unable to provide for its custody or removal and the vehicle is so disabled as to constitute an obstruction to traffic or a hazard. (1999 Code § 15-505)

7-7-7: **VEHICLES ON BRIDGE:** An unattended vehicle left upon any bridge, viaduct or causeway or in any tube or tunnel, where the vehicle constitutes an obstruction to traffic or hazard, may be impounded. (1999 Code § 15-506)

7-7-8: **VEHICLE CONSTITUTES TRAFFIC HAZARD:** A vehicle left unattended upon any street, alley or thoroughfare and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic shall be impounded. (1999 Code § 15-508)

7-7-9: **ILLEGAL TRESPASS BY VEHICLE; COMPLAINT:**

- A. Impoundment Upon Complaint: An unattended vehicle found to be in violation of this chapter may be impounded when the required complaint has been properly made and filed as provided in this section.
- B. Filing And Verification Of Complaint: If a violation of the provisions of this chapter occurs, the owner or legal occupant who complains shall sign a complaint against the person parking the vehicle on the owner's or legal occupant's property, or if the identity of the person parking the vehicle is unknown, then the complaint may be filed against the registered owner of the vehicle. The complaint shall be verified and shall allege that the complaining party is the owner or legal occupant of the property upon which the vehicle is parked or standing.
- C. Impoundment, Storage Of Vehicle: Upon filing of the complaint by the property owner or legal occupant, and if there appears to be proper cause to believe the provisions of this chapter have been violated, the police department shall cause the vehicle to be impounded from the property and placed in storage. (1999 Code § 15-509)

7-7-10: **VEHICLES PARKED OVERTIME:** Any unattended vehicle which has been parked for more than one hour in excess of the time allowed for parking in any place shall be impounded, and any vehicle parked in violation of this chapter regarding more than twenty four (24) hours, shall be impounded. (1999 Code § 15-510)

7-7-11: **BLOCKING FIRE EXITS OR HYDRANTS:** Any vehicle illegally parked in such a manner that it blocks a fire escape ladder, device or exit or blocks ready access to a fire hydrant shall be impounded. (1999 Code § 15-511)

7-7-12: **VEHICLES PARKED IN INTERSECTION:** Any unattended vehicle illegally parked in any street intersection shall be impounded. A disabled vehicle in an intersection with the person in charge of the vehicle being present shall be moved out of the intersection and to the nearest available legal parking space at the street curbing. (1999 Code § 15-512)

7-7-13: **STOLEN VEHICLES; RECOVERY BY POLICE:**

- A. Owner Not Found: Whenever a stolen vehicle is located by police and the registered owner cannot be found within a reasonable time not exceeding one hour, or cannot be determined from the registration papers or other identifying media in the vehicle or from records or information available from reports of stolen cars, the vehicle may be removed to the nearest authorized place of impoundment and the registered owner of the vehicle shall be notified of the location of the place of impoundment as soon as possible by the police department.
- B. Owner Notified: If the registered owner is identified, located and notified of the recovery of the stolen vehicle, the owner shall be given the right to make his own arrangement for the removal of the vehicle within the period of one hour from the time he is actually notified of its recovery, and if the owner is unable or unwilling to effect the removal within the time specified, the vehicle may be impounded. (1999 Code § 15-513)

7-7-14: **VEHICLES WITH OUTSTANDING TRAFFIC CITATIONS:**
Any vehicle for which two (2) or more citations have been issued, for violation of an ordinance, and have not been presented as required, may be impounded if parked in violation of any provision of this title. (1999 Code § 15-514)

7-7-15: **INVENTORY OF IMPOUNDED VEHICLES:** Any vehicle impounded for any reason shall be inventoried by two (2) or more persons for the protection of the owner and his property, the

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protection of town law enforcement personnel, and the protection of the garage or wrecker service moving or holding the vehicle. (1999 Code § 15-515)