

# National Conference on Street and Highway Safety

Honorable ROBERT P. LAMONT

Secretary of Commerce, *Chairman*

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## ACT IV—UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS


This Act is part of a  
**UNIFORM VEHICLE CODE**

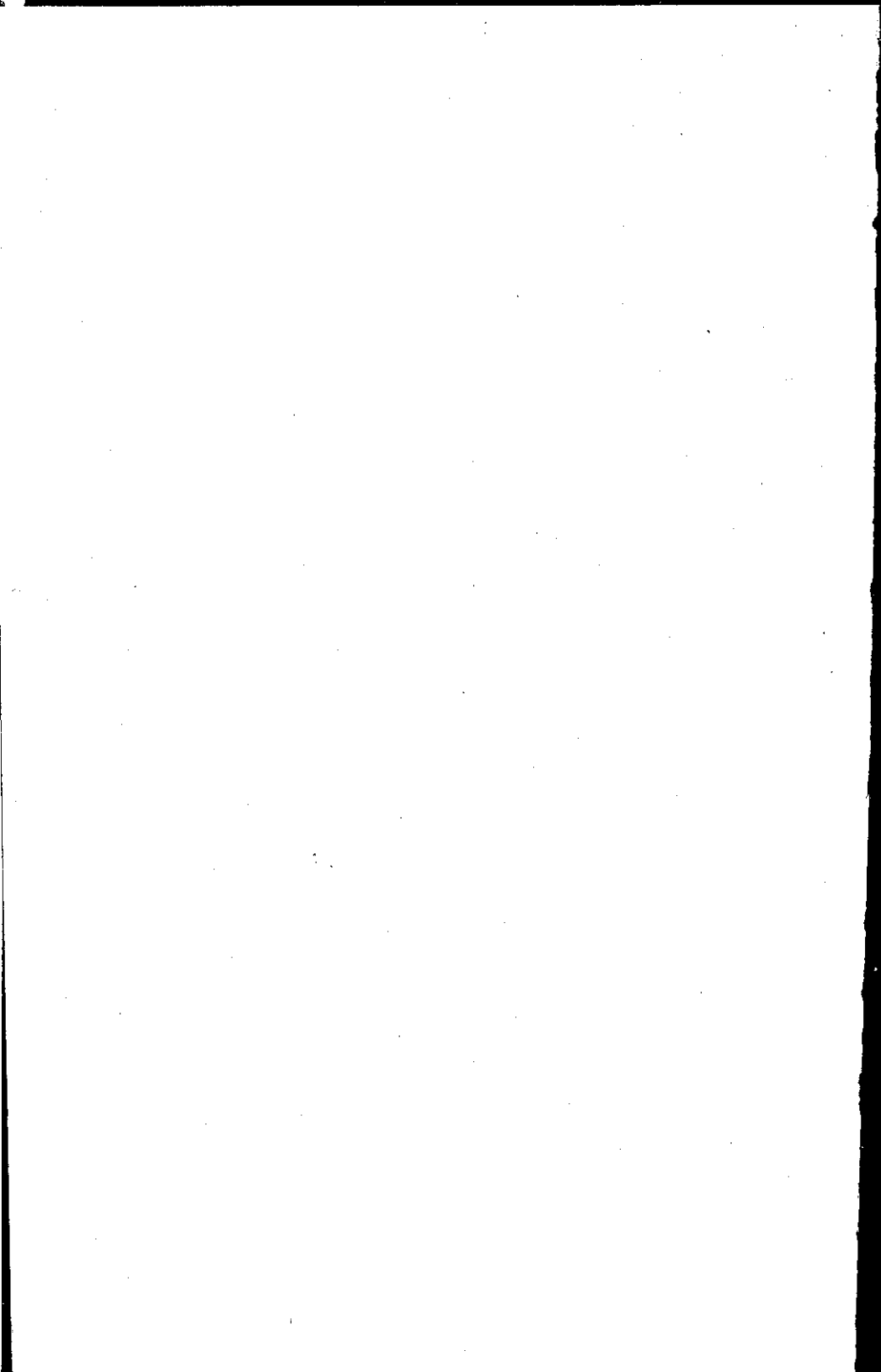
Consisting of

- I "A Uniform Motor Vehicle Registration Act"
- II "A Uniform Motor Vehicle Anti-Theft Act"
- III "A Uniform Motor Vehicle Operators' and Chauffeurs' License Act"
- IV "A Uniform Act Regulating Traffic on Highways"

As approved by the National Conference on Street and Highway Safety  
March 23-24-25, 1926, and endorsed by the National Conference  
of Commissioners on Uniform State Laws and the American  
Bar Association, with modifications recommended by  
the Committee on Uniform Traffic Regulation  
after review of experience of the past  
four years

WASHINGTON, D. C.  
April 22, 1930





## FOREWORD

The foundation of uniform traffic regulation is the state law. The proposed Act here presented is one of four Acts which constitute the Uniform Vehicle Code proposed for state enactment.

The Code was originally prepared in 1925-26 by the Committee on Uniformity of Laws and Regulations of the National Conference on Street and Highway Safety in cooperation with a committee of the National Conference of Commissioners on Uniform State Laws. It adopted many provisions of existing state laws, a thorough study of which had previously been made.

The proposed Code was considered in detail and certain revisions were made by the Second National Conference on Street and Highway Safety, March 23-24-25, 1926, which was participated in by delegates from every state in the Union, including official delegates appointed by the Governors of forty-three states. It was subsequently endorsed by the Commissioners on Uniform State Laws and the American Bar Association.

President Hoover, as Chairman of the National Conference on Street and Highway Safety when the Code was originally drafted in 1926, said:

"This proposed Code was formulated with the widest cooperation of those having understanding and experience in these matters, with a view to advancing uniformity in our traffic laws and regulations. The urgency of such action requires no emphasis from me. It has been demanded from every state in the Union. Without uniformity in essential laws and regulations, reduction in loss of life, personal injury and property damage upon our streets and highways is virtually impossible."

The Code has been adopted in whole or substantial part, or has been used as the basis for revision of existing motor vehicle laws, by approximately half of the states. A substantial number of cities and towns have also adopted the Model Municipal Traffic Ordinance based on the Code, and two states, New Jersey and Wisconsin, have incorporated most of the Ordinance in their state laws.

Thus there has been developed considerable experience in the actual operation of the Code and Ordinance. During 1929 and

1930 the Committee on Uniform Traffic Regulation has reviewed them in the light of this experience and of changed traffic conditions. The Committee finds that both Code and Ordinance have proved distinctly successful, but recommends certain changes to meet present conditions more fully. The amended Act IV (Uniform Act Regulating Traffic on Highways) is here presented.

Explanatory notes setting forth the purpose of each provision follow the text of the Act.

ROBERT P. LAMONT,  
Secretary of Commerce,  
*Chairman.*

Washington, D. C.,  
May 6, 1930.

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# UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

## TITLE OF ACT

An act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

*Be it Enacted . . .*

## ARTICLE I

### DEFINITION OF TERMS

#### SECTION 1. [*Definitions.*]

The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

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

(b) "*Motor Vehicle.*" Every vehicle, as herein defined, which is self-propelled.

(c) "*Street Car.*" Every device traveling exclusively upon rails when upon or crossing a street other than cars or trains propelled or moved by steam.

(d) "*Authorized Emergency Vehicle.*" Vehicles of the Fire Department (Fire Patrol), police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the (Commissioner) or the (Chief of Police of an incorporated city).

(e) "*Motorcycle.*" Every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as herein defined.

(f) "*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.

(g) "*Farm Tractor.*" Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

(h) "*Road Tractor.*" Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

(i) "*Trailer.*" Every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

(j) "*Semi-Trailer.*" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(k) "*Pneumatic Tires.*" All tires inflated with compressed air.

(l) "*Solid Rubber Tire.*" Every tire made of rubber other than a pneumatic tire.

(m) "*Metal Tires.*" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

(n) "*Person.*" Every natural person, firm, copartnership, association or corporation.

(o) "*Pedestrian.*" Any person afoot.

(p) "*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 act.

(q) "*Street or Highway.*" Every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel.

*Note.* In the event it is desired to broaden the application of the regulations in the act there might be added to the above definition a sentence as follows: "The term street or highway shall be deemed to include a roadway or driveway upon grounds owned by colleges, universities and other public or semi-public institutions."

(r) "*Private Road or Driveway.*" Every road or driveway not open to the use of the public for purposes of vehicular travel.

(s) "*Roadway.*" That portion of a street or highway between the regularly established curb lines or that part improved and intended to be used for vehicular travel.

(t) "*Sidewalk.*" That portion of a street between the curb lines and the adjacent property lines.

(u) "*Crosswalk.*" That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.

(v) "*Intersection.*" The area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other.

(w) "*Safety Zone.*" The area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

(x) "*Right of Way.*" The privilege of the immediate use of the highway.

(y) "*Business District.*" The territory contiguous to a highway when fifty per cent or more of the frontage thereon

for a distance of three hundred feet or more is occupied by buildings in use for business.

(z) "*Residence District.*" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

(aa) "*Traffic.*" Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any street for purposes of travel.

(bb) "*Official Traffic Signs and Signals.*" All signs, signals, markings and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic.

(cc) "*Traffic Control Signal.*" Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(dd) "*Department.*" The vehicle department of this state acting directly or through its duly authorized officers and agents.

(ee) "*Commissioner.*" The Vehicle Commissioner of this state.

(ff) "*Local Authorities.*" Every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of this state.

## ARTICLE II

### EFFECT OF AND OBEDIENCE TO TRAFFIC REGULATIONS

#### SECTION 2. [*Obedience to Traffic Regulations.*]

(a) It shall be unlawful and unless otherwise declared herein with respect to particular offenses it shall constitute a misdemeanor for any person to fail or neglect to comply with any rule or regulation declared in this act.

(b) *Offenses by Owners.* It shall be unlawful for the owner, lessor, or lessee of a motor vehicle or for any person employing or otherwise directing the driver of a motor vehicle

to require the operation of a motor vehicle upon a public highway when such vehicle is equipped otherwise than as required or permitted by law or is in excess of a weight permitted by law, or the operation of any vehicle in any manner contrary to law.

SECTION 3. [*Obedience to Traffic and Police Officers.*]

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of any traffic or police officer invested by law with authority to direct, control or regulate traffic.

SECTION 4. [*Public Employees to Obey Traffic Regulations.*]

The provisions of this act applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by this state or any county, city, town, district or any other political subdivision of the state, subject to such specific exceptions as are set forth in this act with reference to authorized emergency vehicles. The provisions of this act shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway but shall apply to such persons and vehicles when traveling to or from such work.

SECTION 5. [*Persons Riding Bicycles or Animals to Obey Traffic Regulations.*]

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

SECTION 6. [*Provisions of Act Uniform Throughout State.*]

The provisions of this act shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this act unless expressly authorized herein.

SECTION 7. [*Powers of Local Authorities.*]

Local authorities, except as expressly authorized in this act, shall have no power or authority to alter any of the regulations

declared in this act or to enact or enforce any rule or regulation contrary to the provisions of this act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of traffic officers or semaphores or other signaling devices on any portion of the highway where traffic is heavy or continuous, and may prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages. Local authorities may also regulate the speed of vehicles in public parks and shall erect at all entrances to such parks adequate signs giving notice of any such special speed regulations.

SECTION 8. [*This Act Not to Interfere with Rights of Owners of Real Property with Reference Thereto.*]

Nothing in this act 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 matter of right from prohibiting such use, or from requiring other or different or additional conditions than those specified in this act, or otherwise regulating such use as may seem best to such owner.

### ARTICLE III

#### TRAFFIC SIGNS, SIGNALS AND MARKINGS

SECTION 9. [*Authority of State Highway Commission.*]

(a) (The State Highway Commission) is hereby authorized to classify, designate and mark both intrastate and interstate highways lying within the boundaries of this state and to provide a uniform system of marking and signing such highways under the jurisdiction of this state, and such system of marking and signing shall correlate with and so far as possible conform to the system adopted in other states.

(b) (The State Highway Commission) is hereby authorized to determine the character or type of and to place or erect upon state highways traffic control signals at places where the Commission shall deem necessary for the safe and expeditious control of traffic, and so far as practicable all such traffic control

signals shall be uniform as to type and location. No traffic control signals shall be erected or maintained upon any state highway by any authority other than the State Highway Commission, except with its written approval.

SECTION 10. [*Local Traffic Signs, Signals and Markings.*]

(a) Subject to such authority as may be vested in the (State Highway Commission), local authorities in their respective jurisdictions may cause appropriate signs to be erected and maintained designating business and residence districts and steam or interurban railway grade crossings and such other signs and traffic control signals as may be deemed necessary to direct and regulate traffic and to carry out the provisions of this act, and such additional signs as may be appropriate to give notice of local parking and other special regulations. Local parking and other special regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an appropriate sign giving notice thereof is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

*(Note) Some states may desire to vest the (State Highway Commission) with supervisory authority with respect to signs, signals and pavement markings erected by local authorities, in which event the following additional provision might be adopted.*

(b) (The State Highway Commission) shall have general supervision with respect to the erection by local authorities of official traffic signs and signals for the purpose of obtaining, so far as practicable, uniformity as to type and location of such official traffic signs and signals throughout the state, and no local authority shall place or erect any traffic signs, signals or markings unless of a type or conforming to specifications and at locations approved by the (State Highway Commission).

*Note. It is recommended that state highway commissions and municipal authorities consult and carry into effect the recommendations with respect to highway and traffic signs, signals and markings contained in the reports on these subjects of the American*

*Association of State Highway Officials and the American Engineering Council.*

*The American Association of State Highway Officials has prepared a report containing manual and specifications for the manufacture, display and erection of U. S. standard road markers and signs, the latest edition of said report being dated April, 1929.*

*A committee of the American Engineering Council has prepared a report with recommendations with respect to street traffic signs, signals and markings issued in 1929.*

*Copies of such reports can be obtained either from the organizations named or from the National Conference on Street and Highway Safety.*

SECTION 11. [*Obedience to Traffic Signs and Signals.*]

It shall be unlawful for the operator of any vehicle or for the motorman of any street car to disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of this act, unless otherwise directed by a police officer.

SECTION 12. [*Traffic Control Signal Legend.*]

(a) Whenever traffic at an intersection is controlled by traffic control signals exhibiting colored lights or the words "Go," "Caution" or "Stop," said lights and terms shall indicate as follows, except that pedestrians shall be subject to the regulations in Section 39:

Green or "Go"—Traffic facing the signal may proceed, except that vehicular traffic shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

Yellow or "Caution," when shown alone following the green or "Go"—Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection unless so close to the intersection that a stop cannot be made in safety.

Red or "Stop"—Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection or at such other point as may be designated by the (traffic authority), and remain standing until green or "Go" is shown alone.



The operator of a vehicle or street car intending to turn to the left at an intersection where traffic is controlled by traffic control signals or by a police officer shall proceed to make such left turn with proper care to avoid accident and only upon the "Go" signal, unless otherwise directed by a police officer or by official traffic signs or special signals effective at all times when the traffic control signals is in operation.

*Note. It is recommended that in the operation of traffic control signals the color yellow or word "Caution" (or "Wait") be not used after a red or "Stop" signal is shown and before the green or "Go" signal appears. It is believed that the latter use of the yellow would tend to result in traffic facing such signal starting to go before the green signal appears, thus causing interference with traffic clearing the intersection.*

SECTION 13. [*Display of Unauthorized Signs and Signals.*]

It shall be unlawful for any person to place or maintain or to display upon or in view of any street or highway any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic sign or signal, and no person shall erect or maintain upon any street or highway any traffic or highway sign or signal bearing thereon any commercial advertising, provided nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers or signals bearing thereon the name of an organization authorized to erect the same by the appropriate public authority. Every prohibited sign, signal or device is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove the same, or cause it to be removed without notice.

SECTION 14. [*Interference with Signs and Signals Prohibited.*]

Any person who shall deface, injure, knock down or remove any official traffic sign or signal placed or erected as provided in this act shall be guilty of a misdemeanor.

ARTICLE IV

ACCIDENTS

SECTION 15. [*Duty to Stop in Event of Accident.*]

(a) The driver of any vehicle involved in an accident resulting in injury or death to any person shall immediately stop such vehicle at the scene of such accident, and any person violating this provision shall upon conviction be punished by imprisonment in the county or municipal jail for not less than thirty days nor more than one year or in the state prison for not less than one nor more than five years, or by fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment. The Commissioner shall revoke the operator's or chauffeur's license of the person so convicted.

(b) The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident, and any person violating this provision shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 86 of this Act.

(c) The driver of any vehicle involved in any accident resulting in injury or death to any person or damage to property shall also give his name, address and the registration number of his vehicle and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person. Any violation of this subdivision shall constitute a misdemeanor.

SECTION 16. [*Duty to Report Accidents.*]

The driver of any vehicle involved in an accident resulting in injury or death to any person or property damage to an apparent extent of fifty dollars or more shall, within twenty-four hours, forward a written report of such accident to the department. Whenever the original report is insufficient in the opinion of the

department, it may require drivers involved in accidents to file supplemental reports of accidents upon forms furnished by it. All accident reports made to the department or to any city department under local ordinance shall be without prejudice, shall be for the information of such department and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accident.

Any incorporated city may by ordinance require that the driver of a vehicle involved in an accident shall file with a designated city department a copy of any report required to be filed with the state authorities by this section.

SECTION 17. [*Garage Keeper to Report Damaged Vehicles.*]

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station or sheriff's office within twenty-four hours after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle.

## ARTICLE V

### DRIVING WHILE INTOXICATED AND RECKLESS DRIVING

SECTION 18. [*Persons Under the Influence of Intoxicating Liquor or Narcotic Drugs.*]

(a) It shall be unlawful and punishable as provided in subdivision (b) of this section for any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor or narcotic drugs to drive any vehicle upon any highway within this state.

(b) Every person who is convicted of a violation of this section shall be punished by imprisonment in the county or municipal jail for not less than thirty days nor more than

(one year), or by fine of not less than one hundred dollars or more than (one thousand) dollars, or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than ninety days nor more than one year, and, in the discretion of the court, a fine of not more than one thousand dollars.

The Commissioner shall revoke the operator's or chauffeur's license of any person convicted under this section.

SECTION 19. [*Reckless Driving.*]

(a) Any person who drives any vehicle upon a highway carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of reckless driving and upon conviction shall be punished as provided in subdivision (b) of this section.

(b) Every person convicted of reckless driving under this section shall be punished by imprisonment in the county or municipal jail for a period of not less than five days nor more than ninety days, or by fine of not less than twenty-five dollars nor more than (five hundred) dollars, or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than ten days nor more than six months, or by a fine of not less than fifty dollars nor more than (one thousand) dollars, or by both such fine and imprisonment.

ARTICLE VI

SPEED RESTRICTIONS

SECTION 20. [*Restrictions as to Speed.*]

(a) No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway and the hazard at intersections and any other conditions then existing.

Nor shall any person drive at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle or other conveyance upon or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highway to exercise due care, provided, that this provision shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant as the proximate cause of an accident.

(b) Officers in enforcing the provisions of this section are authorized to arrest for any violation of subdivision (a) of this section hereby designated as the basic speed regulation, or to arrest for a speed in excess of that indicated in subsection (c) for the particular district or location.

The speeds in miles per hour hereinafter set forth with respect to particular locations and districts shall be presumed to be lawful unless proven in violation of the basic rule set forth in subdivision (a) of this section under the conditions at the time and place, and upon any charge that the speed of a vehicle was in excess of that hereinafter indicated for the particular location or district no conviction shall be had except upon competent evidence of a violation of said basic rule set forth in subdivision (a) of this section. But in the event charge shall be brought and the evidence shall establish a violation of said basic rule and in addition a violation of any other provision of this Act, the penalty for violation of this section shall be the same as for reckless driving.

(c) The speeds in miles per hour referred to in subdivision (b) of this section shall be as follows:

1. In a business district, as defined herein, twenty miles an hour;
2. In a residence district, as defined herein and in public parks within cities, unless a different speed is fixed in public parks by local authorities and duly posted, twenty-five miles an hour;

3. Outside of business and residence districts and except as otherwise limited by this act, forty-five miles an hour;

In addition to the above indications as to speed, the following speeds are hereby indicated with respect to the conditions stated:

4. Fifteen miles an 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;

5. Fifteen miles an hour when approaching within fifty feet and in traversing an intersection of highways when the driver's view is obstructed, except as otherwise provided in this paragraph. A driver's view shall be deemed to be obstructed when at any time during the last fifty feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet from such intersection. At intersections at which traffic control signals are in operation, and at intersections when traveling upon through streets at the entrances to which drivers are required to stop before entering or crossing, such speed shall be presumed to be lawful as may be in compliance with the basic rule set forth in subdivision (a), provided it does not exceed the speed indicated in this subsection for the particular district in which such intersection is located;

6. Thirty miles an hour when approaching within one hundred feet of the nearest rail of a grade crossing of any steam, electric or street railway, and fifteen miles an hour when approaching within fifty feet of any such crossing when the driver's view is obstructed. An operator's view shall be deemed to be obstructed when at any time during the last two hundred feet of his approach to such crossing he does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet in each direction from such crossing.

In every charge of violation of this section the complaint,

also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed which this section declares shall be presumed to be lawful at the time and place of such alleged violation, and in the event charge shall also be made of violation of any other provision of this act the complaint, also the summons or notice to appear, shall also specify such other offense alleged to have been committed.

SECTION 21. [*When Local Authorities May Permit Higher Speeds.*]

Local authorities in their respective jurisdictions are hereby authorized in their discretion to permit by ordinance higher speeds than those indicated in Section 20 upon through highways or upon highways or portions thereof where there are no intersections or between widely spaced intersections provided signs are erected giving notice of the lawful speed.

SECTION 22. [*Minimum Speed Regulation.*]

It shall be unlawful for any person unnecessarily to drive 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 when the vehicle is a truck or truck and trailer necessarily or in compliance with law proceeding at reduced speed.

Traffic and police officers are hereby authorized to enforce this provision by directions to drivers and in the event of apparent wilful disobedience to this provision and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be unlawful and constitute a misdemeanor.

SECTION 23. [*Speed Limit for Vehicles Regulated According to Weight and Tire Equipment.*]

*Note to Sec. 23.*

*Approximately thirty states impose special speed limits on vehicles exceeding certain sizes or weights according to schedules*

*which widely differ. The section is left blank pending further developments.*

SECTION 24. [*Special Speed Limitation on Bridges.*]

It shall be unlawful to drive any vehicle upon any public bridge, causeway or viaduct at a speed which is greater than the maximum speed which can with safety to such structure be maintained thereon, when such structure is signposted as provided in this section.

The State Highway Commission (or other proper state body) upon request from any local authorities shall, or upon its own initiative may, conduct an investigation of any public bridge, causeway or viaduct, and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act, the Commission shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of one hundred feet before each end of such structure. The findings and determination of the Commission shall be conclusive evidence of the maximum speed which can with safety to any structure be maintained thereon.

SECTION 25. [*When Speed Limit Not Applicable.*]

The speed limits set forth in this act shall not apply to authorized emergency vehicles when operated in emergencies and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not 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, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

## ARTICLE VII

### REGULATIONS APPLICABLE TO DRIVING ON RIGHT SIDE OF HIGHWAY, OVERTAKING AND PASSING AND OTHER RULES OF THE ROAD



SECTION 26. [*Drive on Right Side of Highway.*]

(a) Upon all highways of sufficient width, other than one-way highways, the driver of a vehicle shall drive the same upon the right half of the highway except when the right half is out of repair and for such reason impassable or when overtaking and passing another vehicle subject to the limitations set forth in Section 30.

(b) In driving upon the right half of a highway the driver shall drive as closely as practicable to the right hand edge or curb of the highway except when overtaking or passing another vehicle, or when placing a vehicle in position to make a left turn.

(c) In crossing a railroad right of way or an intersection of highways, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is out of repair and for such reason impassable. This provision shall not apply upon a one way street.

(d) In driving upon a one-way highway the driver shall drive as closely as practicable to the right-hand edge or curb of the highway except when overtaking or passing or traveling parallel with another vehicle or when placing a vehicle in position to make a left turn.

SECTION 27. [*Special Regulations Applicable on Streets and Highways Laned for Traffic.*]

Whenever any street or highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:

(a) A vehicle shall normally be driven in the lane nearest the right hand edge or curb of the highway when said lane is available for travel except when overtaking another vehicle or in preparation for a left turn or as permitted in subdivision (d).

(b) A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(c) Upon a highway which is divided into three lanes a

vehicle shall not be driven in the center lane except when overtaking and passing another vehicle or in preparation for a left turn or unless such 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 such allocation.

(d) The (State Highway Commission) and local authorities, with respect to highways under their jurisdiction, may designate right hand lanes for slow moving traffic and inside lanes for traffic moving at the speed presumed to be lawful under this act in the particular district, and when such lanes are signposted or marked to give notice of such designation a vehicle may be driven in any lane allocated to traffic moving in the direction such vehicle is proceeding, but when traveling within such inside lanes vehicles shall be driven at approximately the speed authorized in such lanes, and speed shall not unnecessarily be decreased so as to block, hinder or retard traffic.

SECTION 28. [*Passing Vehicles Proceeding in Opposite Directions.*]

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

SECTION 29. [*Overtaking a Vehicle.*]

Except as otherwise provided in Sections 29 and 30 the following rules shall govern the overtaking and passing of vehicles:

(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 highway until safely clear of such overtaken vehicle.

(b) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on suitable and audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(c) In the event vehicles on a street or highway are moving in two or more substantially continuous lines the provisions of subdivisions (a) and (b) of this section shall not be considered

as prohibiting the vehicles in one such line overtaking or passing the vehicles in another such line either upon the right or the left, nor shall the provisions of subdivisions (a) and (b) of this section be construed to prohibit a driver overtaking and passing upon the right another vehicle which is making or about to make a left turn.

(d) The driver of an overtaking motor vehicle when traveling outside of a business or residence district, and under other conditions when necessary to insure safe operation, shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

SECTION 30. [*Limitations on Privilege of Overtaking and Passing.*]

The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without impeding the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken, nor shall the driver of a vehicle in any event drive to the left side of the center line of a highway when approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of five hundred (500) feet.

SECTION 31. [*Following Too Closely.*]

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

(b) The driver of any motor truck when traveling upon a highway outside of a business or residence district shall not follow another motor truck within one hundred feet, but this shall not be construed to prevent one motor truck overtaking and passing another.

## ARTICLE VIII

## TURNS AND SIGNALS ON STARTING, STOPPING OR TURNING

SECTION 32. [*Turning at Intersections.*]

The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Approach for a right turn shall be made in the lane for traffic nearest to the right hand side of the highway and the right turn shall be made as closely as practicable to the right hand curb or edge of the highway.

(b) Approach for a left turn shall be made in the lane for traffic to the right of and nearest to the center line of the highway and the left turn shall be made by passing to the right of such center line where it enters the intersection, and upon leaving the intersection by passing to the right of the center line of the highway then entered.

(c) Approach for a left turn upon a two-way street into a one-way street shall be made in the lane for traffic to the right of and nearest to the center line of the highway and by passing to the right of such center line where it enters the intersection, while a left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

(d) Local authorities in their respective jurisdictions may, by placing markers, buttons or signs within intersections, require and direct that a course be traveled by vehicles turning left different from that specified in subdivision (b), and it shall be unlawful for the driver of a vehicle to make a left turn otherwise than as so directed and required by such markers, buttons or signs.

SECTION 33. [*Signals on Starting, Stopping or Turning.*]

(a) The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement shall give a clearly audible signal by sounding the horn, and whenever the operation of any

other vehicle may be affected by such movement shall give a signal as required in this section plainly visible to the driver of such other vehicle of the intention to make such movement.

(b) The signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by an approved mechanical or electrical signal device, except that when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible both to the front and rear the signal shall be given by a device of a type which has been approved by the Department.

Whenever the signal is given by means of the hand and arm the driver shall indicate his intention to start, stop, or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

SECTION 34. [*Turning Around Prohibited on Curve or Near Crest of Grade.*]

The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction upon any curve or upon the approach to or near the crest of a grade or at any place upon a highway where the view of such vehicle is obstructed within a distance of five hundred (500) feet along the highway in either direction.

ARTICLE IX

RIGHT OF WAY

SECTION 35. [*Right of Way Between Vehicles.*]

(a) Vehicles approaching an intersection. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection. When two vehicles enter an intersection at the same time the driver of the vehicle on the left shall yield to the driver on the right.

(b) Vehicle entering a through highway. The driver of any vehicle who has stopped as required by law at the entrance to a through highway shall yield to other vehicles within the intersection or approaching so closely on the through highway

as to constitute an immediate hazard, but said driver having so yielded may proceed, and other vehicles approaching the intersection on the through highway shall yield to the vehicle so proceeding into or across the through highway.

(c) Vehicle turning left at an intersection. The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver having so yielded and having given a signal when and as required by law may make such left turn, and other vehicles approaching the intersection from said opposite direction shall yield to the driver making the left turn.

SECTION 36. [*Exceptions to Right of Way.*]

(a) The driver of a vehicle entering a public highway from a private road or drive shall yield the right of way to all vehicles approaching on such public highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to authorized emergency vehicles when the latter are operated in emergencies and the drivers thereof sound audible signal by bell, siren, compression or exhaust whistle. This provision 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, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

SECTION 37. [*Operation of Vehicles on Approach of Authorized Emergency Vehicles.*]

Upon the approach of any authorized emergency vehicle giving audible signal by bell, siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police officer until the authorized emergency vehicle shall have passed.

## ARTICLE X

## PEDESTRIANS' RIGHTS AND DUTIES

SECTION 38. [*Pedestrians' Right of Way.*]

(a) The driver of any vehicle shall yield the right of way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals, or at any point where a pedestrian tunnel or overhead crossing has been provided.

(b) Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the driver of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

(c) Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right of way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle or the pedestrian from the duty to exercise due care.

SECTION 39. [*Pedestrians' Rights and Duties at Controlled Intersections.*]

(a) At intersections where traffic is controlled by traffic control signals or police officers, drivers of vehicles, including those making turns, shall yield the right of way to pedestrians crossing or those who have started to cross the roadway on a green or "Go" signal, and in all other cases pedestrians shall yield the right of way to vehicles lawfully proceeding directly ahead on a green or "Go" signal.

(b) Local authorities in their respective jurisdictions may by ordinance require that at intersections where traffic is controlled by traffic control signals or by police officers, pedestrians shall not cross a roadway against a red or "Stop" signal, and between adjacent intersections so controlled

shall not cross at any place except in a marked or unmarked crosswalk.

SECTION 40. [*Pedestrians to Use Right Half of Crosswalks.*]

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

SECTION 41. [*Pedestrians Soliciting Rides.*]

It shall be unlawful for any person to stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

ARTICLE XI

STREET CARS AND SAFETY ZONES

SECTION 42. [*Passing Street Cars.*]

(a) The driver of a vehicle shall not overtake and pass upon the left any street car proceeding in the same direction, whether actually in motion or temporarily at rest. This provision shall not apply on one-way streets nor upon streets where the tracks are so located as to prevent compliance with the rule.

(b) The driver of a vehicle overtaking any street car stopped or about to stop for the purpose of receiving or discharging any passenger shall stop such vehicle to the rear of the nearest running board or door of such street car and keep it stationary until any such passenger has boarded such car or reached a place of safety, except that where a safety zone has been established, a vehicle need not be stopped before passing any such street car, but may proceed past such car at a speed not greater than is reasonable and proper, and with due caution for the safety of pedestrians. This provision shall not apply to passing upon the left any street car on a one-way street.

SECTION 43. [*Driving on Street Car Tracks.*]

(a) It shall be unlawful for the driver of any vehicle proceeding upon any street car track in front of a street car upon a street, to fail to remove such vehicle from the track



as soon as practicable after signal from the operator of said street car.

(b) When a street car has started to cross an intersection, no driver of a vehicle shall drive upon or cross the car tracks within the intersection in front of the street car.

SECTION 44. [*Driving Through Safety Zone Prohibited.*]

The driver of a vehicle shall not at any time drive through or over a safety zone as defined in Section 1 of this act.

ARTICLE XII

SPECIAL STOPS REQUIRED

SECTION 45. [*Stop Required in Obedience to Signal Indicating Approach of Train.*]

Whenever any person driving a vehicle approaches a highway and interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle to fail to stop the vehicle before traversing such grade crossing.

SECTION 46. [*Vehicles Must Stop at Certain Railway Grade Crossings.*]

The (State Highway Commission) is hereby authorized to designate particularly dangerous grade crossings of steam or interurban railways by highways and to erect signs thereat notifying drivers of vehicles upon any such highway to come to a complete stop before crossing such railway tracks, and whenever any such crossing is so designated and signposted it shall be unlawful for the driver of any vehicle to fail to stop within fifty feet but not less than ten feet from such railway tracks before traversing such crossing.

SECTION 47. [*Certain Vehicles Must Stop at All Railway Grade Crossings.*]

(a) The driver of any motor bus carrying passengers for hire,

or any school bus carrying any school child, or any motor truck carrying explosive substances or inflammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a steam or interurban electric railway, shall bring such vehicle to a stop not less than ten (10) feet or more than fifty (50) feet from the nearest rail of such track, and while so stopped shall both look and listen in both directions along such track for approaching steam or interurban electric railway trains or cars before traversing such crossing. The provisions of this subdivision shall not be deemed to apply at the crossing of a street or highway and street railway tracks, or to interurban electric tracks where traffic control signals are in operation and give indication to approaching vehicular traffic to proceed.

(b) Any person operating any caterpillar tractor, steam shovel, derrick, roller or any equipment having a normal operating speed of six or less miles per hour shall, before crossing at grade any track or tracks of a steam or interurban electric railway, notify a responsible officer of such railway in time for protection to be afforded before crossing such railway tracks, and in any crossing of such railway tracks shall first bring such vehicle or equipment to a stop not less than ten (10) feet nor more than fifty (50) feet from the nearest rail of such track, and, while so stopped, shall both look and listen in both directions along such track for approaching steam or interurban electric railway trains or cars before traversing such crossing, but shall not in any event traverse such crossing when warned by automatic signal or crossing gates or flagmen or otherwise of the immediate approach of a railway train or car.

*Note. The requirement that public passenger buses, school buses, and certain other vehicles shall stop at all steam and interurban electric railway crossings is found in a substantial number of state motor vehicle laws.*

SECTION 48. [*Vehicles Must Stop at Certain Through Highways.*]

The (State Highway Commission) with reference to state highways, and local authorities with reference to highways under

their jurisdiction, are hereby authorized to designate main traveled or through highways by erecting at the entrances thereto from intersecting highways signs notifying drivers of vehicles to stop before entering or crossing such designated highways, or may designate particular intersections and erect such stop signs at one or more entrances thereto, and whenever any such signs have been so erected it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto, except where directed to proceed by an officer or traffic control signal. Such signs shall be placed as nearly as practicable and the stop shall be made at the place where such cross street meets the prolongation of the nearest property line of such through highway. All such signs shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

SECTION 49. [*Stop Before Emerging From Alley or Private Driveway.*]

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 onto the sidewalk area extending across any alley way.

## ARTICLE XIII

### STOPPING, STANDING AND PARKING

SECTION 50. [*Stopping or Parking on Highways Outside of Business or Residence Districts.*]

(a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway; provided, in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway unless a clear and unobstructed

width of not less than twenty feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of 200 feet in each direction upon such highway.

(b) Whenever any police officer shall find a vehicle standing upon a highway in violation of the provisions of this section, he is hereby authorized to move such vehicle or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under this section.

(c) The provisions of this section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

SECTION 51. [*Stopping or Parking Prohibited in Specified Places.*]

It shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

1. Within an intersection.
2. On a crosswalk.
3. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless local or traffic authorities shall indicate a different length by signs or markings.
4. Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection within a business or residence district, except at alleys.
5. Within thirty (30) feet upon the approach to any official flashing beacon, stop sign or traffic control signal located at the side of the roadway.

6. Within fifteen (15) feet of the driveway entrance to any fire station.
7. Within fifteen (15) feet of a fire hydrant.
8. In front of a private driveway.
9. On a sidewalk.
10. Alongside or opposite any street or highway excavation or obstruction when such stopping, standing or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parked at the right hand edge or curb of a highway.
12. At any place where official traffic signs have been erected prohibiting standing and parking.
13. Within fifty (50) feet of the nearest rail of a steam or interurban railway crossing.

## ARTICLE XIV

### MISCELLANEOUS RULES

#### SECTION 52. [*Motor Vehicle Left Unattended, Brakes to Be Set and Engine Stopped.*]

No person having control or charge of a motor vehicle shall allow such vehicle to stand on any highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle, and when standing upon any perceptible grade without turning the front wheels of such vehicle to the curb or side of the highway.

#### SECTION 53. [*Obstruction to Driver's View or Driving Mechanism.*]

(a) It shall be unlawful for the driver of any vehicle to drive the same when such vehicle is so loaded, or when there are in the front seat of such vehicle such number of persons, as to obstruct the view of the driver to the front or sides or to interfere with the driver's control over the driving mechanism of the vehicle.

(b) It shall be unlawful for any passenger in a vehicle or

street car to ride in such position as to interfere with the driver's or operator's view ahead or to the sides, or to interfere with the driver's or operator's control over the driving mechanism of the vehicle or street car.

SECTION 54. [*Following Fire Apparatus Prohibited.*]

It shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or to drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

SECTION 55. [*Crossing Fire Hose.*]

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

SECTION 56. [*Driving on Mountain Highways.*]

The driver of a motor vehicle traversing defiles, canyons or mountain highways shall hold such motor vehicle under control and as near the right-hand side of the highway as reasonably possible, and upon approaching any curve where the view is obstructed within a distance of two hundred feet along the highway shall give audible warning with a horn or other warning device.

SECTION 57. [*Coasting Prohibited.*]

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

## ARTICLE XV

### EQUIPMENT

SECTION 58. [*Required Lighting Equipment.*]

(a) When Vehicles Must Be Equipped.

Every vehicle upon a highway within this state during the period from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred feet ahead shall be equipped with lighted front and rear lamps as in this section respectively required for different classes of vehicles and subject to exemption with reference to lights on parked vehicles as declared in subdivision (h).

(b) Head Lamps on Motor Vehicles.

Every motor vehicle other than a motorcycle, road-roller, road machinery, or farm tractor shall be equipped with two head lamps, no more and no less, at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in Section 60 or Section 61, and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(c) Head Lamps on Motorcycles.

Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations set forth in Section 60 or Section 61 and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(d) Rear Lamps.

Every motor vehicle and every trailer or semi-trailer which is being drawn at the end of a train of vehicles shall carry at the rear a lamp of a type which has been approved by the Commissioner and which exhibits a red light plainly visible under normal atmospheric conditions from a distance of five hundred feet to the rear of such vehicle, and so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of fifty feet to the rear of such vehicle.

(e) Clearance Lamps.

Every motor vehicle, other than a road-roller, road machinery or farm tractor, having a width at any part in excess of eighty inches shall carry two clearance lamps on the left side of such

vehicle, one located at the front and displaying a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a red light visible under like conditions from a distance of 500 feet to the rear of the vehicle.

(f) Lamps on Bicycles.

Every bicycle shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least three hundred feet in front of such bicycle and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under like conditions from a distance of at least two hundred feet to the rear of such bicycle.

(g) Lights on Other Vehicles.

All vehicles not heretofore in this section required to be equipped with specified lighted lamps shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than 500 feet to the front of such vehicle and displaying a red light visible under like conditions from a distance of not less than 500 feet to the rear of such vehicle.

(h) Lamps on Parked Vehicles.

Whenever a vehicle is parked or stopped upon a highway whether attended or unattended during the times mentioned in Section 58 there shall be displayed upon such vehicle one or more lamps projecting a white light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of five hundred feet to the rear, except that local authorities may provide by ordinance that no lights need be displayed upon any such vehicle when parked in accordance with local ordinances upon a highway where there is sufficient light to reveal any person within a distance of two hundred feet upon such highway.

SECTION 59. [*Additional Permissible Lights on Vehicles.*]

(a) Spot Lamps.

Any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more



than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed to the left of the center of the highway nor more than 100 feet ahead of the vehicle.

(b) Auxiliary Driving Lamps.

Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 24 inches above the level surface on which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in Section 60(c).

(c) Signal Lamps.

Whenever a motor vehicle is equipped with a signal lamp to comply with the provisions of Section 33, the signal lamp shall be so constructed and located on the vehicle as to give a signal yellow in color, which shall be plainly visible in normal sunlight from a distance of 100 feet to the rear of the vehicle, but shall not project a glaring or dazzling light and shall be of a type approved by the Commissioner.

(d) Restrictions on Lamps.

Any device, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five candlepower, shall be so directed that no part of the beam will strike the level of the surface on which the vehicle stands at a distance of more than 50 feet from the vehicle.

SECTION 60. [*Requirements as to Head Lamps and Auxiliary Driving Lamps.*]

(a) The head lamps of motor vehicles shall be so constructed, arranged, and adjusted that, except as provided in subsection (c) of this section, they will at all times mentioned in Section 58 and under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernible a person two hundred feet ahead, but shall not project a glaring or dazzling light to persons in front of such head lamp.

(b) Head lamps shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights if none

of the main bright portion of the head lamp beams rises above a horizontal plane passing through the lamp centers parallel to the level road upon which the loaded vehicle stands, and in no case higher than forty-two inches seventy-five feet ahead of the vehicle.

(c) Whenever a motor vehicle is being operated upon a highway, or a portion thereof, which is sufficiently lighted to reveal a person on the highway at a distance of 200 feet ahead of the vehicle it shall be permissible to dim the head lamps or to tilt the beams downward or to substitute therefor the light from an auxiliary driving lamp or pair of such lamps, subject to the restrictions as to tilted beams and auxiliary driving lamps set forth in this subsection.

Whenever a motor vehicle meets another vehicle on any highway it shall be permissible to tilt the beams of the head lamps downward or to substitute therefor the light from an auxiliary driving lamp or pair of such lamps, subject to the requirement that the tilted head lamps or auxiliary lamp or lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernible a person 75 feet ahead, but shall not project a glaring or dazzling light to persons in front of the vehicle, provided that at all times required in Section 58 at least two lights shall be displayed on the front of and on opposite sides of every motor vehicle other than a motorcycle, road-roller, road machinery, or farm tractor.

#### SECTION 61. [*Acetylene Lights.*]

Motor vehicles may be equipped with two acetylene head lamps of approximate equal candlepower when equipped with clear plane glass fronts, bright six-inch spherical mirrors and standard acetylene five-eighths foot burners, not more and not less, and which do not project a glaring or dazzling light into the eyes of approaching drivers.

#### SECTION 62. [*Illegal to Sell or Use Unapproved Device.*]

(a) It shall be unlawful for any person to sell or offer for

sale, either separately or as a part of the equipment of a motor vehicle, or to use upon a motor vehicle upon a highway, any electric head lamp or any auxiliary driving lamp, rear lamp or signal lamp, unless of a type which has been submitted to the Commissioner for test and for which a certificate of approval has been obtained from the Commissioner as hereinafter provided.

(b) It shall be unlawful for any person to sell or to offer for sale either separately or as a part of the equipment of a motor vehicle any head lamp, auxiliary driving lamp, rear lamp or signal lamp approved by the Commissioner unless such device bears thereon the trademark or name under which it is approved so as to be legible when installed, and is accompanied by printed instructions as to the candlepower of bulbs to be used therewith as approved by the Commissioner and any particular methods of mounting or adjustment as to focus or aim necessary for compliance with the requirements of this act.

SECTION 63. [*Commissioner to Adopt Regulations and Approve Lamps.*]

The Commissioner is hereby authorized and required to adopt and enforce standard specifications as to the amount, color and direction of light to be emitted by head lamps, auxiliary driving lamps, rear lamps and signal lamps for compliance with the requirements and limitations set forth in Sections 58, 59 and 60; and the Commissioner is authorized and required to determine whether any head lamps, auxiliary driving lamps, signal lamps and rear lamps submitted will comply with the requirements of this act and the specifications adopted by the Commissioner and to approve such head lamps, auxiliary driving lamps, signal lamps and rear lamps, and to publish lists of such devices by name and type together with the permissible candlepower rating of the bulbs as he shall determine are lawful hereunder, and to forward such lists to the (County Clerk) of every county within the state, who shall file the same, and to every state, county and city police department or others whose duty it is to enforce the provisions of this act.

SECTION 64. [*Any Person May Submit Lamp Device for Approval.*]

Any person, firm or corporation desiring approval of a device shall submit to the Commissioner two sets of each type of device upon which approval is desired, together with a fee of \$25.00 for each type of head lamp and auxiliary driving lamp and a fee of \$10.00 for each type of rear lamp or signal lamp submitted. Within 30 days the Commissioner shall, upon notice to the applicant, submit such device to the United States Bureau of Standards or to such other recognized testing laboratory as he may elect for a report as to the compliance of such type of device with the standard specifications and the provisions of this act as to lighting performance. The Commissioner is authorized and required to accept the certificate of the United States Bureau of Standards or of some other recognized testing laboratory as to compliance with the specifications and requirements; provided, however, that in cases of dispute as to the findings of such other laboratory appeal may be made to the United States Bureau of Standards; and provided, also, that the Commissioner is authorized to refuse approval of any device, certified as complying with the specifications and requirements, which the Commissioner determines would in actual use be unsafe or impracticable or would fail to comply with the provisions of this act.

SECTION 65. [*Report of Testing Agency.*]

The Commissioner shall request the testing agency to submit a report of each type of device to the Commissioner. For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance. Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the Commissioner to the applicant for the test.

SECTION 66. [*Revocation of Certificate of Approval on Lighting Devices.*]

The Commissioner, when having reason to believe that an

approved device as being sold commercially does not comply with the requirements of this act, may after 30 days' notice to the manufacturer thereof, suspend or revoke the approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this act. The Commissioner may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such retest fails to meet the requirements of this act, the Commissioner may refuse to renew the certificate of approval of such device.

*Note to Sections 62-66 inclusive.*

*It is recommended that the Motor Vehicle Commissioner in each state adopt standard current specifications for head lamps, auxiliary driving lamps, rear lamps and signal lamps.*

*In those states where constitutional provisions require that the statute set forth the detailed specifications relative to head lamps and other devices, it is suggested that the specifications set forth in this note subject to such revision as may be recommended by the recognized engineering societies be included in the statute. This would require a change in the wording of Section 63 and the inclusion as an additional section of the specifications for laboratory test of head lamps, auxiliary driving lamps, signal lamps and rear lamps.*

*The specifications for head lamps recommended by the Illuminating Engineering Society and approved by the American Engineering Standards Committee are as follows:*

*Head lamps by laboratory test shall meet the following requirements and limitations when tested in pairs:*

- 1. In the median vertical plane parallel to the lamps on a level with the centers of the lamps, not less than eighteen hundred and not more than six thousand apparent candlepower.*
- 2. In the median vertical plane, one degree of arc below the level of the center of the lamps, not less than seven thousand two hundred apparent candlepower, and there shall not be less than seven thousand two hundred apparent candlepower anywhere on the*

horizontal line through this point, one degree of arc to the left and to the right of this point.

3. In the median vertical plane, one degree of arc above the level of the center of the lamps, not more than twenty-four hundred nor less than eight hundred apparent candlepower.

4. Four degrees of arc to the left of the median vertical plane and one degree of arc above the level of the center of the lamps, not more than eight hundred apparent candlepower.

5. One and one-half degrees of arc below the level of the center of the lamps and three degrees of arc to the left and to the right, respectively, of the median vertical plane, not less than five thousand apparent candlepower nor less than this amount anywhere on the line connecting these two points.

6. Three degrees of arc below the level of the center of the lamps and six degrees of arc to the left and to the right, respectively, of the median vertical plane, not less than two thousand apparent candlepower nor less than this amount anywhere on the line connecting these two points.

Specifications for depressible beam head lamps, auxiliary driving lamps, rear lamps and signal lamps recommended by the Automotive Lighting Association are as follows:

(a) *Depressible Beam Head Lamps.*

These should be tested in pairs and the main or upper beams of such head lamps shall meet the requirements as to light intensity and distribution provided in the foregoing I. E. S. specifications for fixed beam head lamps. The depressed or lower beams shall meet the requirements as to light intensity and distribution provided in (b) of this note for auxiliary driving lamps.

(b) *Auxiliary Driving Lamps.*

Auxiliary driving lamps shall be tested singly or in pairs as to be used and shall meet the following requirements as to light intensity and distribution:

1. In the median vertical plane, one degree of arc above the level of the centers of the lamps, not more than eight hundred nor less than three hundred apparent candlepower.

2. Four degrees of arc to the left of the median vertical plane

and one degree of arc above the level of the centers of the lamps, not more than four hundred apparent candlepower.

3. Three degrees of arc to the left and to the right, respectively, of the median vertical plane and one and one-half degrees of arc below the level of the centers of the lamps, not more than two thousand nor less than eight hundred apparent candlepower.

4. Six degrees of arc to the left and to the right, respectively, of the median vertical plane and three degrees of arc below the level of the centers of the lamps, not less than two thousand apparent candlepower, nor less than this amount anywhere on the line connecting these two points.

5. In no direction shall there be more than twenty-five thousand apparent candlepower.

In the case of both head lamps and auxiliary driving lamps the Commissioner will, in determining whether a device is likely in practice to prove unsafe or impracticable, inspect for defects such as:

Unnecessary loss of light in the device due to absorption or diffusion.

Abnormal or unduly complicated adjustment.

Unstable or bad mechanical construction.

Unduly bright or dark areas or excessive contrast in the illuminated field.

Indefinite pattern at top of beam making aiming uncertain.

(c) Signal lamps shall be tested singly and shall meet the following requirements as to light intensity and distribution:

1. On a line perpendicular to the center of the lamp face a minimum average brightness of two candlepower per square inch over a minimum illuminated area of three and one-half square inches.

2. At all points at an angle of thirty degrees to the perpendicular through the center of the lamp face a minimum average brightness of fifteen-hundredths candlepower per square inch over a minimum illuminated area of three and one-half square inches.

3. In no direction shall there be more than twenty-five apparent candlepower.

(d) Rear lamps shall be tested singly and shall meet the follow-

ing requirements as to construction, light intensity and distribution:

1. Rear lamps shall emit a red light which on a line perpendicular to the center of the lamp face shall be not less than one-tenth apparent candlepower, and which in all directions at thirty degrees to the perpendicular through the center of the lamp face shall be not less than five-hundredths apparent candlepower. In no direction shall there be more than five apparent candlepower.

2. The rear lamp shall have an opening covered with colorless glass sufficiently large to permit light to cover the entire surface of the registration number plate, which for the purpose of the test shall be represented by a plane surface sixteen inches long by six and one-half inches wide in the case of a device for motor vehicles and ten inches long by five inches wide in the case of a device for motorcycles.

3. The registration plate holder shall be an integral part of the lamp and constructed in such a manner that the major portion of the light incident at any point on the registration plate shall make an angle of not less than eight degrees with the plane of the plate.

4. The lamp shall be weather and dust proof and so constructed as to withstand the shock and vibration to which it is ordinarily subjected in use.

5. When tested with a bulb of two spherical candlepower the illumination as measured on white blotting paper placed in the location of the registration plate shall not be less than five-tenths foot-candles at any point and the ratio of maximum to minimum shall not exceed thirty.

6. In the case of rear lamps the Commissioner will, in determining whether a device is likely in practice to prove unsafe or impracticable, inspect for defects such as:

Unstable or bad mechanical construction.

Unduly dark or bright area or excessive contrast in the illumination on the registration number plate.

Cut-off of illumination within one and one-half inches of the plate measured perpendicular to the plane of the plate at the edge farthest from the lamp.



SECTION 67. [*Enforcement of Provisions.*]

The driver of any motor vehicle equipped with approved head lamps, auxiliary driving lamps, rear lamps or signal lamps, who is arrested upon a charge that such lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed 48 hours within which to bring such lamps into conformance with the requirements of this act. It shall be a defense to any such charge that the person arrested produce in Court or submit to the prosecuting attorney a certificate from an official adjusting station showing that within 48 hours after such arrest such lamps have been made to conform with the requirements of this act.

SECTION 68. [*Official Headlight Adjusting Stations.*]

The Commissioner is authorized to designate, furnish instructions to and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of this act. When head lamps and auxiliary driving lamps have been adjusted in conformity with the instructions issued by the Commissioner a certificate of adjustment shall be issued to the driver of the motor vehicle on forms issued in duplicate by the Commissioner and showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle and official designation of the adjusting station.

SECTION 69. [*Red or Green Light Visible from in Front of Vehicle Prohibited.*]

It shall be unlawful for any person to drive or move any vehicle upon a highway with any red or green light thereon visible from directly in front thereof. This section shall not apply to police or fire department or fire patrol vehicles.

SECTION 70. [*Brakes.*]

(a) Every motor vehicle (other than a motorcycle) when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle,

including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(b) Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be provided with at least one brake, which may be operated by hand or foot.

(c) All brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this section to be promulgated by the (Commissioner).

SECTION 71. [*Horns and Warning Devices.*]

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order, capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, and it shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with, or for any person to use upon a vehicle, any bell, siren, compression or exhaust whistle, or for any person, at any time, to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(b) Every authorized emergency vehicle used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the Commissioner, but no such device shall be installed or used upon any other vehicle.

(c) It shall be unlawful for any person to install or use upon a bicycle any siren or whistle.

SECTION 72. [*Mirrors.*]

No person shall drive a motor vehicle on a highway which motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless such vehicle is equipped with a

mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle.

SECTION 73. [*Windshields Must Be Unobstructed and Equipped With Wipers.*]

(a) It shall be unlawful for any person to drive any vehicle upon a highway with any sign, poster or other nontransparent material upon the front windshield, sidewings, side or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law.

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

SECTION 74. [*Flag or Light at End of Load.*]

Whenever the load on any vehicle shall extend more than four feet beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than twelve inches both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of any such load a (yellow or red) light plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

SECTION 75. [*Mufflers—Prevention of Noise.*]

(a) No person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(b) It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon a highway.

SECTION 76. [*Commissioner Authorized to Inspect Vehicles.*]

The Commissioner and his duly authorized assistants are hereby

empowered at all times to inspect any motor or other vehicle to determine its compliance with the equipment and other provisions of this act.

## ARTICLE XVI

### SIZE, WEIGHT AND CONSTRUCTION

#### SECTION 77. [*Scope and Effect of Regulations.*]

It shall be unlawful and constitute a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this act or any vehicle or vehicles which are not so constructed or equipped as required in this article or the rules and regulations of the Commissioner adopted pursuant thereto, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this act.

#### SECTION 78. [*Size of Vehicles and Loads.*]

(a) No vehicle shall exceed a total outside width, including any load thereon, of eight feet, except that the width of a farm tractor shall not exceed nine feet, and except further that the limitations as to size of vehicles stated in this section shall not apply to implements of husbandry temporarily propelled or moved upon the public highway.

(b) No vehicle unladen or with load shall exceed a height of fourteen feet and six inches.

(c) No vehicle shall exceed a length of thirty-three feet, and no combination of vehicles coupled together shall exceed a total length of eighty-five feet.

(d) No train of vehicles or vehicle operated alone shall carry any load extending more than three feet beyond the front thereof.

(e) No passenger vehicle shall carry any load extending beyond the line of the fenders on the left side of such vehicle

nor extending more than six inches beyond the line of the fender on the right side thereof.

SECTION 79. [*Trailers and Towed Vehicles.*]

(a) No motor vehicle shall be driven upon any highway drawing or having attached thereto more than one other vehicle, except that a motor vehicle with semi-trailer may draw in addition thereto one other vehicle.

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

SECTION 80. [*Weight of Vehicles and Loads.*]

*Note to Sec. 80.*

*It is recommended that every state legislature give consideration to the adoption of legislation authorizing the Highway Commission or other appropriate body having jurisdiction over highways to classify highways and to enforce limitations as to the weight of vehicles operated thereon in accordance with the following plan:*

*The State Highway Commission shall be authorized to classify the public highways under its jurisdiction as follows:*

*Class A or terminal highways, which shall be highways in industrial areas or which connect centers of population not widely separated, where there is need for the trucking of heavy loads in many large capacity trucks requiring pavements not less than eighteen feet wide and as wide as the traffic warrants and of strength sufficient to serve the vehicular units of four wheels or less not exceeding 32,000 pounds gross weight including load.*

*Class B highways, which shall be highways where there is a considerable amount of heavy truck hauling but not so great as on terminal highways and requiring pavements not less than eighteen feet in width and as wide as traffic warrants and of such*

strength as to serve single vehicular units of four wheels or less not exceeding 26,000 pounds gross weight including load.

Class C highways, which shall be highways where there is a comparatively small volume of heavy truck hauling of a type not necessitating the use of extremely heavy units and requiring pavements not less than eighteen feet in width and as wide as traffic warrants and of such strength as to serve single vehicular units of four wheels or less not exceeding 21,000 pounds gross weight including load.

Class D highways, which shall be highways not included in Classes A, B or C, where traffic consists chiefly of passenger automobiles and single vehicular units of four wheels or less not exceeding 16,000 pounds gross weight including load, which highways should be not less than sixteen feet in width and as wide as traffic warrants and of sufficient strength to serve the traffic as herein stated.

The legislation should also provide that upon the highways classified as above provided the maximum gross weight limit of any vehicle shall not exceed the following:

On Class A highways: No vehicle of four wheels or less whose gross weight including load is more than 32,000 pounds; no vehicle having a greater weight than 25,600 pounds on one axle, and no vehicle having a load of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim) shall be permitted on roads of this class. In any combination of vehicles containing more than one two-wheeled trailer the axle for each succeeding two-wheeled trailer shall not exceed 16,000 pounds. When axles are spaced less than eight feet apart, the load on each axle shall not exceed 12,800 pounds. In a combination of vehicles, the gross load on the first two vehicles shall not exceed 64,000 pounds and in each succeeding sixteen feet the gross load shall not exceed 32,000 pounds. Single vehicular units of more than four wheels operated without trailer or semi-trailer shall be permitted a gross weight not exceeding 38,400 pounds provided the gross weight on any axle does not exceed 16,000 pounds.

*On Class B highways: No vehicle of four wheels or less whose gross weight including load is more than 26,000 pounds; no vehicle having a greater weight than 20,800 pounds on one axle, and no vehicle having a load of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim) shall be permitted on roads of this class. In any combination of vehicles containing more than one two-wheeled trailer, the axle load for each succeeding two-wheeled trailer shall not exceed 13,000 pounds. When axles are spaced less than eight feet apart the load on each axle shall not exceed 10,400 pounds. In a combination of vehicles the gross load on the first two vehicles shall not exceed 52,000 pounds, and in each succeeding sixteen feet the gross load shall not exceed 26,000 pounds. Single vehicular units of more than four wheels operated without trailer or semi-trailer shall be permitted a gross weight not exceeding 31,200 pounds provided the gross weight on any axle does not exceed 13,000 pounds.*

*On Class C highways: No vehicle of four wheels whose gross weight including load is more than 21,000 pounds; no vehicle having a greater weight than 16,800 pounds on one axle, and no vehicle having a load of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim) shall be permitted on roads of this class. In any combination of vehicles containing more than one two-wheeled trailer, the axle load for each succeeding two-wheeled trailer shall not exceed 10,500 pounds. When axles are spaced less than eight feet apart the load on each axle shall not exceed 8,400 pounds. In a combination of vehicles the gross load on the first two vehicles shall not exceed 42,000 pounds and in each succeeding sixteen feet the gross load shall not exceed 21,000 pounds. Single vehicular units of more than four wheels operated without trailer or semi-trailer shall be permitted a gross weight not exceeding 25,200 pounds provided the gross weight on any axle does not exceed 10,500 pounds.*

*On Class D highways: No vehicle of four wheels or less whose gross weight including load is more than 16,000; no vehicle having a greater weight than 12,800 pounds on one axle, and no vehicle having a load of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of solid rubber tires to be measured between the flanges of the rim) shall be permitted on roads of this class. In any combination of vehicles containing more than one two-wheeled trailer the axle load for each succeeding two-wheeled trailer shall not exceed 8,000 pounds. When axles are spaced less than eight feet apart the load on each axle shall not exceed 6,400 pounds. In a combination of vehicles the gross load on the first two vehicles shall not exceed 32,000 pounds and on each succeeding sixteen feet the gross load shall not exceed 16,000 pounds. Single vehicular units of more than four wheels operated without trailer or semi-trailer shall be permitted a gross weight not exceeding 19,200 pounds, provided the gross weight on any axle does not exceed 8,000 pounds.*

SECTION 81. [*Officers May Weigh Vehicles and Require Removal of Excessive Loads.*]

Any (peace officer) having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest scales in the event such scales are within two miles. The officer may then require the driver to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum therefor specified in this act.

SECTION 82. [*Permits for Excess Size and Weight.*]

The State Highway Commission (or other proper state authority) and local authorities in their respective jurisdictions may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle of a size or weight exceeding the maximum specified in this act upon any highway



under the jurisdiction of and for the maintenance of which the body granting the permit is responsible. Every such permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by the body granting such permit. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any (peace officer), and it shall be a misdemeanor for any person to violate any of the terms or conditions of such special permit.

SECTION 83. [*When Local Authorities May Restrict Right to Use Highways.*]

Local authorities may by ordinance or resolution prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles, for a total period of not to exceed ninety days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such local authorities are responsible, whenever any said highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. Such local authorities enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected thereby, and the ordinance or resolution shall not be effective until or unless such signs are erected and maintained. Local authorities may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

SECTION 84. [*Restrictions as to Tire Equipment.*]

(a) Every solid rubber tire on a vehicle moved on any highway shall have rubber on its entire traction surface at least

one inch thick above the edge of the flange of the entire periphery.

(b) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(c) The State Highway Commission (or other proper state body) and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery.

SECTION 85. [*Sifting or Leaking Loads.*]

No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom.

ARTICLE XVII

PENALTIES

SECTION 86. [*Penalties for Misdemeanor.*]

(a) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this state declared to be a felony.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this act for which another penalty is not provided shall for a conviction thereof be punished by a

fine of not more than one hundred dollars or by imprisonment in the county or municipal jail for not more than ten days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than two hundred dollars or by imprisonment in the county or municipal jail for not more than twenty days or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county or municipal jail for not more than six months or by both such fine and imprisonment.

## ARTICLE XVIII

### PROCEDURE UPON ARREST, REPORTS, DISPOSITION OF FINES AND FORFEITURES

#### SECTION 87. [*Appearance Upon Arrest for Misdemeanor.*]

(a) Whenever any person is arrested for a violation of any provision of this act punishable as a misdemeanor, the arresting officer shall, except as otherwise provided in this section, take the name and address of such persons and the license number of his motor vehicle and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice, such time to be at least five days after such arrest unless the person arrested shall demand an earlier hearing, and such person shall, if he so desire, have a right to an immediate hearing or a hearing within twenty-four hours at a convenient hour, such hearing to be before (a magistrate within the township or county wherein such offense was committed.) Such officer shall thereupon and upon the giving by such person of his written promise to appear at such time and place forthwith, release him from custody.

Any person refusing to give written promise to appear shall be taken immediately by the arresting officer before a magistrate within the township or county wherein such offense was committed.

Any person who wilfully violates his written promise to ap-

pear, given in accordance with this section, shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested.

(b) The provisions of subsection (a) of this section shall not apply to any person arrested and charged with an offense causing or contributing in an accident resulting in injury or death to any person, or to any person charged with reckless driving, or to any person charged with driving while under the influence of intoxicating liquor or narcotic drugs, or to any person whom the arresting officer shall have good cause to believe has committed any felony, and the arresting officer shall take such person forthwith before a magistrate within the township or county wherein such offense was committed.

(c) 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.

SECTION 88. [*Reports of Convictions to Be Sent to Department.*]

(a) Every (justice of the peace or police judge or court) in this state shall keep a full report of every case in which a person is charged with violation of any provision of this act, and in the event that such person is convicted or that his bail is forfeited, an abstract of such report shall be sent forthwith by the (justice of the peace or police judge or court) to the Department, but this requirement shall not be deemed to make such court a court of record.

(b) Abstracts required by this section shall be made upon forms prepared by the Department and shall include all necessary information as to the party to the case, the address of defendant and the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, as the case may be, and every such abstract shall be certified by the (justice of the peace, police judge or clerk of such police court) as a true abstract of the record of the court.

(c) Each clerk of any court of record of this state shall also, within ten days after any final judgment of conviction of any

violation of any of the provisions of this act, send to the Department a certified copy of such judgment of conviction. Certified copies of the judgment shall also be forwarded to the Department upon conviction of any person of manslaughter or other felony in the commission of which a vehicle was used. The said Department shall keep such records in its office, and they shall be open to the inspection of any person during reasonable business hours.

(d) Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom.

SECTION 89. [*Fines and Forfeitures.*]

All fines and forfeitures collected upon conviction or upon forfeiture of bail of any person charged with a violation of any of the provisions of this act constituting a misdemeanor shall be deposited in the treasury of the state (or the county, city, or town maintaining the court wherein such conviction or forfeiture was had) in a special fund to be known as the "highway improvement fund," which is hereby created and which shall be used exclusively in the construction, maintenance and repair of public highways, bridges and culverts within such respective jurisdictions.

Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

ARTICLE XIX

EFFECT OF AND SHORT TITLE OF ACT

SECTION 90. [*Uniformity of Interpretation.*]

This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

SECTION 91. [*Short Title.*]

This act may be cited as the *Uniform Act Regulating Traffic on Highways*.

SECTION 92. [*Constitutionality.*]

If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared unconstitutional.

SECTION 93. [*Repeal.*]

The (existing statutes covering the same matters as embraced in this act) are hereby repealed and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 94. [*Time of Taking Effect.*]

This act shall take effect from and after the.....  
day of .....

## **ACT REGULATING TRAFFIC ON HIGHWAYS**

Uniformity of traffic regulations is essential. Absence of uniformity, with a large number of contradictory regulations in different jurisdictions, results in the utmost confusion, failure to obey regulations, substantial hazard to all concerned and delay in the actual movement of traffic. Uniformity of regulations results in a more thorough understanding of the regulations by the public, greater obedience resulting in decrease of traffic hazard and greater facility in traffic movement. To facilitate understanding of the subject matter and scope of the Act its provisions are grouped under nineteen main headings or articles as indicated.

### **ARTICLE I—DEFINITIONS OF TERMS**

In accordance with general legislative practice, certain terms used in the Act are defined.

#### **Definitions**

It is suggested that in considering the Act its substantive matters be first read without prior detailed consideration of the definitions contained in Section 1. Standing alone these definitions might raise numerous questions, but they are prepared to fit the context of the Act. Consequently, while such terms as "highway" and "vehicle" might, with equal logic, be defined in several ways, changes in the definitions presented without regard to the Act might alter the substantive provisions of the Act in a manner not desired. It is suggested that, upon reading the provisions of the Act, if any question arises as to the meaning of a term used therein, reference then be made to the definition of the term to ascertain precisely its scope and sense as used in the Act.

### **ARTICLE II—EFFECT OF AND OBEDIENCE TO TRAFFIC REGULATIONS**

Article II consists of standard provisions indicating the general public responsibility to obey the provisions of the Act.

### **Obedience to Regulations and Police**

Specific statements requiring obedience to traffic regulations and to lawful directions of traffic and police officers with authority in the latter to regulate traffic are contained in Sections 2 and 3. In view of the fact that in some states under constitutional provisions the Act might be held not applicable to government owned and operated motor vehicles without special reference thereto, and in view of the fact that obedience to traffic regulations by motor vehicles so owned and operated is deemed essential, Section 4 requires public employees to obey all of the provisions of the Act, subject to such specific exceptions as are granted in various succeeding sections to authorized emergency vehicles as defined in the Act. Such exceptions are found with respect to authorized emergency vehicles in the speed regulations, right of way rule and use of sirens and other imperative warning devices.

Specific direction that persons riding bicycles or animals shall obey the traffic regulations is contained in Section 5.

### **Uniformity of Act Throughout State**

In order to insure that the regulations shall be uniform throughout a state, specific declaration to that effect is made in Section 6, while Section 7 enumerates those matters upon which local authorities may regulate. There is nothing in the Act to prevent local authorities enacting appropriate parking and other purely local regulations not in conflict with the state code.

Section 8 provides that nothing in the Act shall interfere with the rights of owners of real property to impose restrictions upon any driveways or roadways which are not legally public highways.

## **ARTICLE III—TRAFFIC SIGNS, SIGNALS AND MARKINGS**

Article III contains the provisions relating to traffic signs, signals and markings deemed proper for state enactment. It is regarded as of particular importance that traffic signs and signals have standard meanings throughout the state.



### **Authority of State Highway Commission**

With reference to Section 9, practically all states now recognize that it is an appropriate function of the state department or commission having jurisdiction over state highways either to provide directly for or to supervise the erection and maintenance of highway warning and direction signs. It is further becoming increasingly important that such warning and direction signs erected in a particular state shall conform as closely as practicable to the system adopted in other states. Section 9 is, therefore, designed to accomplish the above purposes. Furthermore, this section gives to the state highway authority complete jurisdiction with respect to the erection of traffic control signals on all state highways.

### **Local Traffic Signs, Signals and Pavement Markings**

It is recognized that local authorities will and must of necessity erect appropriate signs as may be necessary to direct and regulate traffic in conformity with the state law and local regulations, and provisions to this effect are contained in Section 10. In order to insure complete uniformity in signs and signals throughout a state and in order that state authorities may lend aid and guidance in this respect, a state may desire to include in Section 10 proposed subdivision (b) giving the (state highway commission) supervisory authority in this regard.

A note to Section 10 calls attention to the report prepared by the American Association of State Highway Officials in cooperation with the United States Bureau of Public Roads with reference to U. S. standard road markers and signs, and to the report of a Committee of the American Engineering Council containing recommendations with respect to street traffic signs, signals and pavement markings.

Required obedience to traffic signs and signals is declared in Section 11.

### **Traffic Control Signal Legend**

In many instances municipal and other regulations have given diverse and contradictory meanings to the various colors and indications employed in traffic control signals, and confusion has fre-

quently been the result, particularly on the part of motor tourists traveling through successive jurisdictions. It is deemed of the utmost importance that uniform meaning be attributed to the standard traffic control indications. Uniformity in this regard will stimulate understanding and obedience and promote safety in the operation of motor vehicles. The Act, therefore, in Section 12 proposes that state law shall declare that where certain indications and colors are used they shall have the specific meanings prescribed in the text. The provisions are, however, so framed as to permit that in the event of special conditions rendering it advisable to permit right or left turns on other than the green or "Go" signal, then a special signal light in the form of an arrow showing green or a special sign may be employed to permit turning movements at the times so indicated. Furthermore, the section is so framed that if only a two-indication traffic control signal is employed, the legend remains appropriate.

Additional leeway is afforded under the text for necessary or desirable minor alterations in the operation of traffic control signals, such as, for example, the use of green and yellow in combination as a particular warning or direction to pedestrian traffic. Additional matters in connection with traffic control signals are elucidated in the explanatory notes to the Model Municipal Traffic Ordinance, and reference is further made to the report of the Committee of the American Engineering Council on Street Traffic Signs, Signals and Markings.

It is essential, as is provided in Section 13, that it be made unlawful for any unauthorized person to erect traffic signs, signals or devices which might be confused with official signs, while Section 14 prohibits interference with official signs and signals.

#### ARTICLE IV—ACCIDENTS

Whatever the local requirements regarding reporting and investigation of accidents, the state vehicle department is the only agency which can make comparable state-wide compilations and analyses of accident records, and such analyses are deemed of great value in determining causes and means of preventing such accidents, as well as in determining the fitness of drivers under

the license system provided in Act III of the Uniform Code. Article IV therefore contains provisions relating to accidents and accident reporting.

### **Duty to Stop in Event of Accident**

The laws in practically every state impose the duty to stop and give name and other information in case of accident, and prescribe severe penalties for violation of such duties. Some confusion has arisen, however, as to whether the same responsibility exists regardless of the seriousness of the accident.

Section 15 attempts to clarify this by declaring it in subdivision (a) a special offense to fail to stop after an accident resulting in death or personal injuries to any person, and prescribing a severe penalty therefor. Such failure to stop after an accident resulting only in damage to property is declared in subdivision (b) to be a misdemeanor, subject to the penalty set forth in Section 86.

Subdivision (c) specifically prescribes that the driver of any vehicle involved in either type of accident shall give his name, address and the registration number of his vehicle, and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with, and that he shall render reasonable assistance to any person injured, including the carrying of such person to a physician or surgeon for treatment if it is apparent that such treatment is necessary or requested by the injured person.

### **Duty to Report Accidents**

It is well recognized that one of the weaknesses in traffic regulation is the meagerness of authentic information as to traffic accidents and their causes. Accurate reporting and analysis of accidents is essential if effective remedies are to be found. While city administrations to a greater or less degree investigate the accidents within their jurisdictions, and should continue to do so, it is believed that as a part of a general plan of centering control of the vehicle operator as far as possible in the State Vehicle Department, reports of all important accidents should go to and be analyzed by the Vehicle Department.

Section 16, therefore, requires that the driver of any vehicle

involved in an accident resulting in injury, death or property damage to an apparent extent of \$50 or more shall report it within twenty-four hours to the Vehicle Department or to police headquarters, and that if the report is made to police headquarters a copy shall be filed with the Department. The section furthermore empowers the Department or the police department to require a driver involved in an accident to file a supplemental report when the original report is deemed insufficient. To safeguard against prejudicial use of this information in either civil or criminal actions, the section provides that the information shall not be open to public inspection and shall not be admissible in evidence in any trial, civil or criminal, arising out of such accident.

As an important means of detecting unreported accidents, Section 17 requires garage keepers to report within twenty-four hours any vehicle brought to them showing evidence of having been in a serious accident or struck by a bullet.

It is recognized that reports to the Vehicle Department would be valueless if not analyzed with care, and that to make them of the highest value the results of the analyses should be published from time to time. In the separation of the Uniform Vehicle Code into four Acts it is assumed that this analysis of accident statistics is most appropriate in the Act providing for uniform motor vehicle registration and prescribing the general powers and duties of the motor vehicle administration. In the absence of such requirement in the existing law, it is recommended that there be embodied in the Act Regulating Traffic on Highways subdivisions (a) and (b) of Section 7 (Accident Statistics and Reports) of the Uniform Motor Vehicle Registration Act. These paragraphs read as follows:

“(a) The department shall prepare and may supply to police and sheriffs’ offices and other suitable agencies forms for accident reports calling for sufficiently detailed information to disclose with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved.

“(b) The department shall receive accident reports required to be made by law and shall tabulate and analyze such reports and publish annually or at more frequent intervals statistical informa-

tion based thereon as to the number, cause and location of highway accidents."

## ARTICLE V—DRIVING WHILE INTOXICATED AND RECKLESS DRIVING

Two offenses conceded to be intolerable on public highways are driving while intoxicated and reckless driving. They are, therefore, prohibited by state law in Article V, and severe penalties are prescribed.

### Driving While Intoxicated

Nearly all, if not all, state laws prohibit driving a motor vehicle while under the influence of intoxicating liquor or narcotic drugs. It is believed, however, that not all of the state laws sufficiently penalize this dangerous practice. The Act declares the practice unlawful in Section 18, and provides special and severe penalties for violation thereof.

The courts have held this provision to mean that the operator must have imbibed enough intoxicating liquor to have disturbed the actions of his physical or mental faculties so that they were no longer in their natural or normal condition. The courts have further said with respect to the meaning of the phrase "under the influence of intoxicating liquor," that:

"If intoxicating liquor has so far affected the nervous system, brain or muscles of an operator as to impair to an appreciable degree his ability to operate his car in the manner that an ordinarily prudent and cautious driver in the full possession of his faculties, using reasonable care, would operate or drive a similar vehicle under like conditions, then such driver is under the influence of intoxicating liquor within the meaning of the statute."

There are many who advocate a mandatory jail sentence for every conviction for driving while intoxicated. In practice, however, it has been found that juries are reluctant to convict a first offender when conviction means a jail sentence, and the offender is too often acquitted. Therefore the Act makes the penalty for a first violation a heavy fine, a jail sentence or both. For a second offense, however, imprisonment is mandatory. The revocation of

the offender's operating license is also mandatory in states where the law provides for the licensing of operators.

### **Reckless Driving**

Reckless driving is also prohibited in the majority of states, but there are two conflicting theories as to what constitutes reckless driving. Under the one theory it is wilful or wanton driving in a manner endangering life, limb or property. Under the other it is broadly defined to include simple negligence and practically every violation of any of the rules of the road.

The Act in Section 19 takes the former interpretation and provides severe minimum penalties, increasing with second and subsequent offenses. Violations involving only carelessness or negligence are treated in subsequent sections of the Act and are classed as misdemeanors.

## **ARTICLE VI—SPEED RESTRICTIONS**

It would appear to be obvious that the first requisite of a regulation governing speed, as is true with other legislative enactments, is that it shall command the respect, support and general obedience of the majority of those persons to whom it is applicable. This it cannot do if each municipality is permitted to establish arbitrary requirements without regard to those in neighboring communities. Article VI therefore contains provisions which it is believed should be state-wide, still leaving municipalities reasonable latitude to adjust the requirements to local conditions.

### **Restrictions as to Speed**

There is undoubtedly an increasing consciousness on the part of the public that appropriate speed may reasonably and logically vary according to the conditions. It is increasingly apparent that it is impracticable to declare by law that a speed stated in miles per hour shall at all times be legal and that any speed in excess of such arbitrary limit shall be illegal. Any legal declaration to such effect does violence to public consciousness and understanding of reasonable practices under conditions of modern traffic.

Without question, speed which might be proper in a particular

district at one time would not be at all proper under other conditions of traffic or weather. Thus there has been an increasing tendency on the part of state legislators to abandon definite maximum speed limits expressed in miles per hour. Such maximum limits as have been enacted have been widely disregarded because unsuited to actual conditions which might exist.

The speed regulations in Section 20 should appeal to the common understanding and secure the respect and obedience of the major part of the public, and at the same time establish sufficient safeguards and restrictions to permit of the apprehension and punishment of those operating motor vehicles at unreasonable speeds under the conditions which may exist.

Subdivision (a) declares basic principles susceptible of strict enforcement. Speed shall be reasonable and prudent under the conditions. Speed shall not be such as to prevent an operator from exercising proper control of his vehicle so as to decrease speed or to stop before colliding with others rightfully on the highway. It would, of course, impose an impossible burden to require an operator to anticipate and safeguard completely against any and every possible violation or heedless disregard of safety by other persons using the highways. The standard declared in the section is considered fair and adequate. Obedience thereto and enforcement according to the intent of the section would undoubtedly reduce accidents occurring on streets and highways to a small fraction of the present volume.

Subdivision (b) of the section is in a sense explanatory of the speeds in miles per hour indicated in subdivision (c). In some jurisdictions the laws have specified certain prima facie limits. However, reference in the law to prima facie limits has caused confusion and misunderstanding because of the technical legal significance of the term employed, and in many instances such prima facie limits have been understood to mean definite maximum limits with all of the vices arising therefrom which have arisen with respect to such limits. Suitable flexibility was not afforded and disrespect and disobedience resulted, with the further evil of enforcement and penalties imposed for speeds which reasonably might have been considered appropriate in view of all of the conditions existing.

The present section, therefore, in subdivisions (b) and (c) indicates certain speeds in miles per hour with respect to different districts and locations. Subject to the basic rule as to safe driving, these indicated speeds are presumed to be lawful. This legal declaration tends to a certain degree of uniformity in enforcement and renders the state law complete as a legislative enactment, removing opportunity to local legislative authorities to alter the regulations. Throughout the section emphasis is placed on the declared basic rule in subdivision (a). An officer may at any time arrest for a violation of the basic rule. He may at any time arrest for a speed which is in excess of the indicated speed for the particular district or locality. But in any trial on the question of violation of the section the court is empowered to convict solely upon competent evidence establishing a violation of the basic rule.

There is a further provision that where there occurs a violation of the basic rule and at the same time a violation of any other of the rules of the road set forth in succeeding sections, the violation of such basic rule as a single offense shall be punished with the same severity that is accorded conviction for reckless driving. This recognizes the extreme wrongfulness of excessive speed when combined with violation of other standard rules of the road. The indicated miles per hour with respect to various districts and localities are deemed appropriate thereto and are consistent with modern safe operating practices on streets and highways.

### **When Higher Speeds Are Permissible**

Section 21 recognizes that speed on through highways or on highways encountering little or no cross traffic may, under certain conditions, appropriately be greater than under other conditions, and local authorities are therefore granted discretionary power to permit higher speeds under such conditions.

### **Minimum Speed Regulation**

It is well recognized that the unnecessarily and unreasonably slow operation of a motor vehicle on highways carrying heavy traffic may cause not only inconvenience but extreme hazard to the rest of the traffic attempting to proceed at higher speed. The effect of such slow driving is frequently to induce operators of



vehicles in the rear to attempt overtaking and passing in the face of oncoming traffic. To meet this problem in part, at least, the regulations in Section 22 are recommended.

### **Speed Limits According to Weight and Tire Equipment**

Recognizing the fact that thirty states impose special speed limits on vehicles exceeding certain sizes or weights, but noting that the specifications differ widely, the Act lists a blank section (No. 23) on this subject.

### **Special Speed Limitation on Bridges**

To safeguard bridges not designed to sustain traffic movement at speeds otherwise permissible, Section 24 declares it unlawful to drive any vehicle on a public bridge, causeway or viaduct at a speed greater than the maximum which can with safety to such structure be maintained thereon. Thus the law declares what is unlawful, while the administrative authority is vested in the Highway Commission to determine simply the facts as to the ability of the structure to withstand certain speeds and to announce such facts by signposting the approaches to the bridge.

### **When Speed Limit Not Applicable**

Section 25 is inserted in recognition of the need for exempting certain public employees and others in emergencies from the speed restrictions, without, however, authorizing them to throw aside restraint and endanger others unnecessarily. It is provided that the speed limitations in the Act shall not apply to authorized emergency vehicles as defined in the Act when operated in emergencies; but that the exemption does not protect the driver of such a vehicle from the consequences of reckless disregard of the safety of others, and does not apply to these vehicles when not responding to emergencies.

## **ARTICLE VII—REGULATIONS APPLICABLE TO DRIVING ON RIGHT SIDE OF HIGHWAY, OVERTAKING AND PASSING AND OTHER RULES OF THE ROAD**

Rules of the road in which state-wide uniformity is obviously of great importance are contained in Article VII.

### **Driving on Right Side of Highway**

The rule set forth in Section 26 requiring that normally a vehicle shall be operated on the right half of the highway originated in custom and later was embodied in statutory regulations in practically every state. The rule as to driving on the right half of the highway and the supplementary rule that a vehicle shall normally travel as closely as practicable to the right edge or curb are separately stated in subdivisions (a) and (b) for purposes of clarity and emphasis and because the exceptions to these two rules are not identical.

The positive rule not subject to exception is declared in subsection (c) prohibiting driving on the left half of a highway in crossing a railway right of way or an intersection of highways. It is obvious that the driver of a vehicle approaching or traversing a railway crossing or intersection is under the necessity of looking both to the left and to the right, and under such circumstances it is most essential that his movement shall be on the right half of the highway. Otherwise great hazard would exist of collision with other vehicles possibly approaching from the opposite direction.

Subdivision (d) gives the necessary modifications of the rule applicable on one-way highways.

### **Highways Laned for Traffic**

A series of provisions in Section 27 embody special regulations applicable on streets and highways laned for traffic. In view of the fact that the practice of laning highways by clearly marked lines on the surface is increasing and is proving most advantageous in effecting more orderly movement of traffic, the desirability

of special regulations with reference to such highways is apparent.

Although sometimes suggested, it is not deemed advisable to grant to the vehicle occupying a particular lane any exclusive right to occupy such lane. If such right were accorded it might easily result that two or three vehicles traveling abreast at low speed, instead of proceeding in single file in the extreme right-hand lane for traffic, would occupy all available lanes and effectively prevent overtaking and passing by faster moving vehicles. The regulations therefore provide that on all highways, including those laned for traffic, a vehicle shall normally be driven as closely to the right-hand edge or curb of the highway as practicable, and shall, when overtaken, give way to the right, permitting the overtaking vehicle to pass to the left.

Laning of highways is peculiarly advantageous on a wide highway on which there is a mingling of heavy slow-moving and light fast-traveling vehicles. Under such conditions it is most desirable that the slow-moving traffic be required to use the extreme right-hand lane while the remaining traffic is permitted freedom of movement at legal speed on the inside lanes. With this situation in mind subdivision (d) permits local authorities to signpost lanes of traffic, designating the outside lanes for slow-moving traffic and inside lanes for faster moving traffic.

### **Passing Vehicles Proceeding in Opposite Direction**

The most ancient of all traffic regulations and one firmly embedded in the custom of the United States is that which provides that when vehicles approach from opposite directions each shall give way to the right, allowing to the other at least one-half of the main traveled portion of the highway as nearly as possible. This rule is found in Section 28.

### **Overtaking and Passing**

Specific rules for and limitations on overtaking and passing other vehicles are provided in Sections 29 and 30. It is normal practice and, in fact, the only safe practice under many conditions that a vehicle overtaken shall give way to the right, allowing an overtaking vehicle to pass to the left.

Full responsibility is imposed upon the operator of the over-

taking vehicle to make certain that he can accomplish the movement in safety to all concerned. The driver of an overtaking vehicle outside of a business or residence district, or elsewhere when necessary to insure safety, must sound his horn as a warning to the driver of the overtaken vehicle. Responsibility is also placed on the driver of an overtaking vehicle when such movement necessitates driving on the left half of a highway. Permission to do so is accorded only when the left half is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit such movement in complete safety. A special provision in Section 30 absolutely forbids driving on the left side of the highway in overtaking and passing or for any other purpose on a curve, when approaching or near the crest of a grade or under other conditions when the view ahead along the highway is obstructed within a distance of 500 feet.

It is well recognized that on certain wide thoroughfares, particularly within residential and suburban territory, large volume of traffic results in two or more parallel lines of traffic moving in the same direction. It frequently occurs that, due to one cause or another, the righthand line of traffic may find it possible to proceed at slightly greater speed than the line on its left. It also frequently occurs that a vehicle is operated at decreased speed or possibly stops when next to the center line of the highway at an intersection preparatory to making a left turn. Under these conditions it is also customary for other vehicles to pass to the right. If care is exercised in this movement there can be no reasonable objection to it. In fact, it is essential to facilitate the movement of traffic. Both of the above conditions are recognized and provided for in subdivision (c) of Section 29. The provision is, however, not so worded as to permit indiscriminate overtaking or passing on the right. The permission granted is designed to afford the maximum safe use of wide roadways and is especially advantageous on highways which have been laned for traffic.

#### **Following Too Closely**

Subdivision (a) of Section 31 is a standard provision prohibiting an operator from following so closely as to risk a collision if the first vehicle stops or slows down unexpectedly.

Subdivision (b) is intended to meet the difficulty frequently encountered by traffic following, particularly on winding roads, when two or more trucks are proceeding slowly and so close together that they cannot be overtaken and passed safely by faster vehicles. The paragraph requires them outside of built-up urban areas to maintain a distance of at least one hundred feet between trucks, save only when one truck is overtaking and passing another.

### ARTICLE VIII—TURNS AND SIGNALS FOR SAME

Standardization of methods of making turns and of giving signals for turns and other vehicle operations calling for advance notice to other traffic is provided in Article VIII.

#### **Turning at Intersections**

Obviously the proper method of turning right at an intersection is close to the righthand edge or curb of the highway, thus affording a minimum of interference with other vehicle traffic.

With respect to left turns, various methods and rules are encountered in different jurisdictions. After thorough consideration the committee preparing the Code included the regulation that left turns should normally be made from the left lane of traffic next to the center of the highway at the point of entering the intersection, and that the vehicle should pass to the right of the center of the street being entered at the point of leaving the intersection. This affords an easy turning radius and removes the necessity imposed in certain jurisdictions that at all times a left turn must be made around and to the right of the center of the intersection. The latter method is frequently difficult, and, in fact, sometimes impossible within intersections of small area. Under the rule as set forth in Section 32, an operator in making a left turn is not permitted to cut so closely to the lefthand corner of the intersection as to create a hazard with respect to vehicles approaching from the left. A special advantage of the turning movement normally required by the section may be illustrated by assuming two vehicles approaching an intersection from opposite directions, the driver of each desiring to make a left turn. A drawing or

mental photograph of their movements under the rule will illustrate that each may make such left turn without crossing the path of the other.

It is recognized that unusual conditions may necessitate some variation from the standard method of making left turns, and authority is therefore conferred upon local authorities to erect markers or signs indicating a different method of making turns and requiring obedience to such markers or signs when erected.

Another provision in the section deals with the subject of making turns from a two-way into a one-way highway or from a one-way highway into a two-way highway. The regulations are designed to prevent in either event movement into or upon the wrong side of a street where traffic in the opposite direction is permitted to other vehicles.

The rules in Section 32 above-mentioned have to do with the course to be traveled by vehicles making turns. Another element with respect to turns relates to the time at which such turns may be made at intersections where traffic is controlled by traffic control signals. The traffic control signal legend in Section 12 contemplates and, in fact, requires that turns at an intersection shall be made only with the green or "Go" signal, except that, where unusual traffic conditions prevail and some other interval is deemed better suited to the making of turns, special signs or signals may direct the time at which such turns may be made.

### **Signals on Starting, Stopping or Turning**

Two distinct sets of hand signals to be given by motorists before starting, stopping or turning have been developed in different sections of the country. These two systems are in partial conflict, and deviations from both are found in certain states.

Experience and judgment indicate that so many different signals are confusing, particularly in view of the fact that where required they are often inaccurately given; and that a simpler and safer plan is to require a single signal warning other motorists that the operator is about to change his direction or speed. Section 33 so provides, requiring the operator to extend his arm horizontally from and beyond the left side of the vehicle whether he intends to start, stop or turn. Other operators and pedestrians

in the vicinity are warned to be on their guard. The line in which, in accordance with Section 32, an operator intending to turn approaches an intersection will indicate in which direction he intends to turn.

Recognizing the difficulty of giving hand signals from closed cars in inclement weather and from certain types of commercial vehicles, the section makes it optional with the operator of the vehicle to substitute an approved mechanical or electrical device. It makes it imperative that such device be provided if the vehicle is so constructed or loaded that a hand signal could not be seen.

#### **Restrictions on Turning Around**

It is obvious that turning a vehicle around on a curve or on the approach to the crest of a grade would involve special hazard owing to the unexpected position of the vehicle and the time involved in the movement. Turning around at such points is therefore prohibited in Section 34.

### **ARTICLE IX—RIGHT OF WAY**

Accident records disclose a substantial percentage of all traffic accidents as occurring at intersections. Such accidents, frequently resulting in extensive property damage, personal injuries or death, are occasioned in large measure by improper speed, failure to turn in the manner provided by law, failure to give proper signal or violation of the right of way rule. Explicit legal provisions on the above subjects are therefore most essential, both to decrease accident hazards and to facilitate the movement of traffic. The right of way rules found in Article IX were prepared after careful consideration of all existing rules and the numerous and varied conditions encountered at different times and places.

#### **Right of Way Between Vehicles**

While the main purpose of these explanatory notes is to indicate clearly the intent and effect of the rules declared, it may be desirable at this point to mention some of the reasons prompting rejection of certain variations of the right of way rule encountered in various jurisdictions. The earliest right of way rule ap-

plying to motor traffic was quite simply stated, declaring briefly that in every case a vehicle approaching or entering an intersection should yield to a vehicle approaching from the right. While this rule was definite and easily understood, and served to avoid accidents where the traffic was light, it became impracticable with increase in traffic at intersections. Under it a vehicle approaching from the left and encountering a continuous line of vehicles from the right was obliged to yield to each and every one of them. Furthermore, the rule presented certain engineering difficulties. Assuming that four vehicles, one from each of the four directions, entered an intersection at the same time, and each vehicle had the right of precedence with respect to the vehicle on its left, but was obliged to yield to the vehicle on its right. Thus a perfect blockade resulted without any right or duty on the part of any driver to yield in a manner calculated to clear the intersection.

The severity of this former rule was frequently modified, and, in fact, the meaning of the rule substantially altered by judicial decisions. If a vehicle approaching from the left had first entered and had traversed two-thirds of the intersection when struck at the right rear by a vehicle approaching from the right, the courts declined to enforce the rule strictly and in many instances awarded judgment in civil actions in favor of the driver on the left, obviously being induced to such judgment by appreciation of the fact that the driver on the right, by exercising a slight degree of care and moderately reducing speed, could have avoided the accident.

Another variation of the right of way rule made reference to two vehicles approaching or entering an intersection "at approximately the same time," according in such event the right of way to the vehicle on the right. Unfortunately the term "at approximately the same time" gave rise to various interpretations. In some instances where the vehicle on the left entered first, the courts held that it was obvious that the vehicles did not enter at approximately the same time. In other instances, even though the vehicle on the left first entered, after the collision occurred the courts held that they must have entered at approximately the same time. This variance in judicial interpretation disclosed the inadvisability of the rule employing the term "approaching or entering at approximately the same time."



In formulating the right of way rule set forth in subdivision (a) of Section 35 recognition was accorded to general safe practice and the decisions of the courts. Three normal situations occur with respect to vehicles crossing at right angles at intersections. If the vehicle on the right enters the intersection first or at precisely the same instant as the vehicle on the left, then, in the normal course, it would seem reasonable that the vehicle on the right should proceed, particularly for the reason that it is nearer to the intersection of the paths of the vehicles than is the other, and, in many instances, no collision would occur even if the vehicles proceeded at their normal speed. The rule in Section 35 recognizes this situation and under the circumstances stated requires the driver on the left to yield. The third situation is presented when the vehicle on the left enters the intersection first. It would appear desirable in such event to permit this vehicle to proceed and clear the intersection, avoiding the stopping of vehicles and consequent confusion within intersections. The rule recognizes this situation and specifically declares that a vehicle approaching an intersection shall yield to one which has entered the intersection.

### **Right of Way at Through Highways**

It is seemed inadvisable to accord an absolute right of way to vehicles on a through highway. Under such a rule, no matter how careful might be the conduct of a driver entering such through highway, he would be without legal right if a collision resulted, even though the entire fault clearly rested upon the driver on the through highway.

The rule declared in subdivision (b) of Section 35 in reality establishes a rule of due care. The driver from the cross street must stop in obedience to the regulations and must exercise every reasonable precaution in entering the through highway, but, having entered at an appropriate opportunity, is accorded certain legal protection.

### **Vehicle Turning Left**

Likewise, in the case of vehicles turning left at an intersection in relation to vehicles approaching from the opposite direction, the

obligation of due care on the part of both drivers is the essence of the rule stated on this subject in subdivision (c) of Section 35.

### **Exceptions to Right of Way Rule**

The exceptions to the right of way rule declared in Section 36 are standard and the advisability thereof apparent. The same is true of the obligation in Section 37 imposed upon drivers to pull to the right and stop upon the approach of an authorized emergency vehicle when audible warning is given.

## **ARTICLE X—PEDESTRIANS' RIGHTS AND DUTIES**

Under common law vehicles and pedestrians were accorded equal reciprocal rights and duties with respect to the use of any and all roadways. The impracticability of such a rule under modern conditions of traffic is apparent. It is advisable that there be a segregation so far as possible of different types of traffic into distinct lanes of movement.

### **Pedestrians' Right of Way**

The provisions of Section 38 represent an alteration of the common law rule. The pedestrian is accorded right of way when crossing a roadway in a marked crosswalk or at the usual place of crossing an intersection. In return for this preferential right the pedestrian is required to yield the right of way to vehicles at other points. In view of the fact that a very large percentage of traffic injuries and fatalities involve pedestrians, the desirability of definite provisions and obedience thereto with respect to pedestrians is apparent.

### **Pedestrians' Rights and Duties at Controlled Intersections**

There is need for regulation with respect to pedestrian movement at intersections where traffic is controlled by traffic control signals. Assuredly pedestrians should yield the right of way to vehicles proceeding on a green or "Go" signal as is provided in Section 39, while vehicles should yield to pedestrians proceeding on a green or "Go" signal.

In some jurisdictions it has been found advisable under conditions of traffic and proper timing of traffic control signals to require definite obedience by pedestrians to the signal indications. It is appreciated, however, that a delicate problem of introduction and enforcement exists in requiring definite obedience by pedestrians to traffic signal indications. For this reason the text in Section 39 simply prescribes a right of way rule and leaves to local authorities determination by ordinance of the matter of complete pedestrian obedience to traffic control signals.

The purposes of Sections 40 and 41 are apparent.

## ARTICLE XI—STREET CARS AND SAFETY ZONES

Provisions affecting the operation of street cars and the relation of vehicle traffic thereto are grouped in Article XI.

### Passing Street Cars

Under normal conditions it would create an extreme hazard to permit overtaking and passing street cars on the left. The practice is prohibited in practically every jurisdiction. Subdivision (a) of Section 42 prohibits such operation except on one-way streets or on streets where the tracks are so located as to necessitate overtaking and passing on the left.

A special hazard is involved when vehicles overtake and pass street cars while passengers are boarding or alighting. To permit such movement without regulation would result in extreme hazard to pedestrians. On the other hand, to prohibit such movement at all times would result in unreasonably delaying and impeding traffic movement, with resulting confusion of traffic. The rule in subdivision (b) of Section 42 is designed to afford a reasonable solution of the above extremes. The driver of a vehicle must stop to the rear of the nearest running board or door of a street car while passengers are boarding or alighting from the latter except where a safety zone has been installed for the protection of such street car patrons, in which event the vehicle may be driven past the safety zone provided the speed is reasonable and due care is exercised for the safety of pedestrians.

A supplementary provision in Section 44 declares that the driver of a vehicle shall not at any time drive through or over a safety zone. This rule is deemed of the utmost importance, as any permission to drive through a safety zone when unoccupied leaves for determination in each instance the question, which is particularly difficult to determine at night, whether the safety zone was, in fact, occupied. Furthermore, occupancy of safety zone areas by moving vehicles might easily result in excluding from such zones pedestrians desiring to enter them and entitled to the protection they should afford.

The manual of the American Engineering Council approves only those types of safety zones which, whether or not raised above the roadway surface, are so protected as to render it difficult or impossible for a vehicle to be driven into the zone without serious damage to the vehicle. However, zones without physical protection, indicated only by paint lines or by paint lines and buttons, are still widely used in some cities, and the rule prohibiting vehicles from entering them becomes necessary. In fairness to vehicle operators the definition of a safety zone requires that it be clearly visible.

### **Driving on Street Car Tracks**

While it is recognized that street railway companies operating under franchise do not have exclusive right to that part of the roadway occupied by the tracks, nevertheless, to facilitate the movement of traffic, including street cars, and prompt transportation of the large numbers of persons using the street cars, it is desirable to prevent motor vehicles from unnecessarily impeding the freedom of operation of street cars. Section 43, therefore, imposes the obligation on drivers of vehicles to remove their vehicles from the street car tracks as soon as practicable when given audible signal to do so. Drivers of vehicles are also required to refrain from driving upon or across street car tracks when a street car has started to cross an intersection.

## **ARTICLE XII—SPECIAL STOPS REQUIRED**

A series of sections in Article XII relate to vehicle operation at crossings of steam or interurban railways.

### **Railroad Crossings**

Section 45 requires that a vehicle shall stop in obedience to a signal indicating the immediate approach of a train. After such stop the driver is then free to determine in the exercise of due care his next course of conduct. It may be that the signal is actuated by a train standing or switching, in which event the driver, after determining the entire situation, may proceed.

Section 46 authorizes the appropriate state authority to designate particularly dangerous grade crossings and erect signs thereat notifying drivers to stop, and the law imposes obedience to such signs.

It is recognized that a special hazard exists with respect to the operation of certain types of vehicles at railway grade crossings, particularly those transporting explosives or inflammable substances as a cargo or part of a cargo. A special public interest is also involved with respect to public passenger-carrying motor vehicles. Section 47 therefore requires that stops shall be made by such vehicles at all railway grade crossings. The section also imposes special and additional duties upon any person operating an apparatus of the caterpillar tractor type or other equipment which generally moves so slowly as to occupy a considerable length of time in crossing railway tracks.

### **Through Highways**

Recent years have witnessed the designation of many through highways at the entrances to which vehicles are required to stop before entering or crossing when signs are erected directing such stop. It is believed that advantage results in facilitating traffic movement when such through highways are wisely selected. The designation of too many such through highways proves disadvantageous, impatience and disobedience resulting therefrom.

Section 48 is in the form of an enabling act permitting the state highway commission and local authorities either to designate through highways and require that all cross traffic shall first stop, or permitting designation of particular intersections and the posting of signs requiring such stops at one or more entrances thereto. The question of right of way at such through intersections

is covered in Section 35 and was discussed in the explanatory note with reference thereto.

#### **Stop Before Emerging from Alley or Private Driveway**

The regulation declared in Section 49 and applicable within business and residence districts is designed primarily to afford protection to pedestrians on sidewalks or crossing alleys at the entrance thereto.

### **ARTICLE XIII—STOPPING, STANDING AND PARKING**

This Act, intended for state legislative enactment, properly omits detailed regulations with respect to parking on city streets, which are matters for local determination, but contains certain basic requirements believed universally applicable.

#### **Stopping or Parking on Rural Highways**

Section 50, which applies on highways other than within business or residence districts, is designed to prohibit stopping or parking at certain points on main traveled portions of highways outside of cities and towns. Indiscriminate stopping or parking on main traveled routes traversed by fast-moving traffic would be extremely dangerous. The requirement is that in every event ample width of roadway shall be maintained free for two lines of moving traffic unless a vehicle is so disabled that it is impracticable to remove it at once.

#### **Stopping or Parking in Streets**

It is recognized, furthermore, that both within municipalities and elsewhere there are certain locations where it is especially hazardous to permit stopping or parking, or where such action would unreasonably impede the free movement of other traffic. Section 51 therefore prohibits stopping or parking, except when a stop is necessary as a matter of safety or in obedience to traffic signals or the directions of an officer, in certain specified places, as, for example, within intersections or crosswalks or so close thereto as to constitute a hazard. It is believed that with respect to each and all of the locations therein enumerated, Section 51 is appropriate for state legislative enactment.

## ARTICLE XIV—MISCELLANEOUS RULES

Article XIV contains miscellaneous rules of the road which it is believed should be prescribed by state law.

### **Vehicle Left Unattended**

The Act requires in Section 42 that wherever a vehicle is left unattended on a public highway the brakes must first be effectively set and the motor stopped. Furthermore, if the vehicle is on a grade, the front wheels must be turned to the curb or side of the highway. The need for such a precautionary requirement is obvious.

### **Obstructions to Driver's View or Driving Mechanism**

Section 53 recognizes and safeguards against the special hazard occasioned by any person attempting to drive a motor vehicle when the vehicle is so loaded or there are on the front seat so many persons as to interfere seriously with the driver's view to the front or sides or with his control over the driving mechanism.

### **Following Fire Apparatus Prohibited**

The proper functioning of fire-fighting apparatus is frequently interfered with by an understandable tendency of persons to follow it. In order to prevent serious interference and confusion, particularly at the scene of a fire, Section 54 imposes certain restrictions with respect to following fire apparatus.

For the purpose of preventing interference with the operations of fire departments at the scene of a fire, Section 55 prohibits driving over fire hose unless authorized.

### **Driving on Mountain Highways**

Section 56 requires operators of vehicles traversing mountain highways and winding roads to keep their vehicles under control and to keep as near to the righthand side as is reasonably possible.

This section is in substance a reiteration of Section 26, but is included for emphasis and special consideration under conditions where driving on the wrong side may result in sudden and unavoidable disaster.

### **Coasting Prohibited**

While the extreme danger of traveling down grade with the gears in neutral is well known to experienced operators, it is not always fully understood by the less experienced. It is therefore expressly prohibited in Section 57.

## **ARTICLE XV—EQUIPMENT**

Uniformity in equipment requirements of vehicles is of great importance for a somewhat different reason than that attaching to rules of the road. Variation in rules of the road leads directly to misunderstanding and confusion among drivers and pedestrians, and to accidents. Variation in equipment requirements works hardship upon operators as well as on manufacturers and dealers.

There is the added reason that much thought has been given to the determination of proper and safe equipment requirements and restrictions, and carrying out the rules of the road safely depends to no small extent on these equipment requirements and restrictions. It is therefore believed appropriate that they be included in the same Act with the rules of the road, and they are so included under Article XV.

### **Lighting Equipment of Vehicles**

The laws of every state include provisions requiring that vehicles on the highways shall be equipped with certain lights at night. The requirements vary greatly, however, failing in some cases to cover the possibilities and desirable limitations pertaining to the various kinds of vehicles using the highways. In developing the Act much thought has been applied to providing adequate minimum requirements for each type of vehicle, permissible additional lights, suitable restrictions in the use of lights and means for holding the lighting equipment to reasonable requirements without imposing rigid specifications which would hamper further improvement in lighting. These various provisions are contained in Sections 58 to 69.

*Required Lighting Equipment.*—Subdivision (a) of Section 58



requires that every vehicle on the highway during periods of darkness shall be equipped with one or more lighted front and rear lamps, subject to an exemption with regard to parked vehicles treated in a separate section. This paragraph is all-inclusive, embracing four-wheeled motor vehicles, motorcycles, bicycles and horsedrawn vehicles. It also defines the period of darkness. Subdivision (b) requires that every motor vehicle other than a motorcycle and certain special vehicles shall have two and only two head lamps on opposite sides, such lamps to comply with requirements and limitations set forth in succeeding sections. Subdivision (c) requires each motorcycle to have at least one and not more than two head lamps. Subdivision (d) provides that each motor vehicle and each trailer or semi-trailer at the end of a train of vehicles must carry a red rear light plainly visible under normal atmospheric conditions from a distance of 500 feet, such light also to illuminate the rear number plate by a white light to make it legible at a distance of 50 feet.

The foregoing are the standard requirements for the two general classes of vehicles which constitute a large percentage of all the vehicles on the highways. It is obvious that a motor vehicle of four or more wheels must display during periods of darkness two head lamps, one on each side, in order that its character and position can be determined. It is also obvious that a single head lamp on a motorcycle is sufficient, and that it is sufficient for either type of vehicle to display from the rear one tail light which also suitably illuminates the rear number plate.

Subdivision (e) applies only to buses, motor trucks or other vehicles exceeding a width of 80 inches. Section 78 permits widths of such vehicles up to 96 inches, but head lamps alone do not reveal these extra wide vehicles as such, and in states where there is no special indication required there is a serious element of danger arising from attempts to meet or overtake and pass them where the roadway is of insufficient width. Subdivision (e) of Section 58 therefore requires that each such vehicle carry a white clearance lamp on the left side visible from the front and a red light also on the left side visible from the rear.

Under present conditions of heavy motor traffic, it is evidently unsafe to allow any vehicle upon the highway without lights. Sub-

division (f) therefore requires that each bicycle must carry a lighted lamp visible from the front and either a lamp or a reflex mirror which shall show a red light from the rear, and subdivision (g) requires that every other vehicle shall display a white light visible from the front and a red light visible from the rear.

Vehicles are ordinarily parked at the curb, and, except on one-way streets, with the left side outward. Under such conditions it is important that the left side be marked but unnecessary that the rear license plate be legible. It is believed that the requirements for safety are met by the single standard parking light showing red in the rear and white in front, and subdivision (h) authorizes such a light on parked vehicles. It stipulates that such a light must be shown on a parked vehicle under any conditions under which lights would be required on moving vehicles, except that it empowers local authorities to provide by ordinance that no lights need be displayed on vehicles parked lawfully where sufficient light reveals a person at a distance of 200 feet.

*Additional Permissible Lights.*—Section 59 authorizes and places restrictions upon additional lights. The usefulness of spot lamps for night driving, particularly on narrow or winding roads, is recognized, as is also the great danger to approaching traffic if the spot lamp is used indiscriminately and without proper regard for other traffic. Subdivision (a) therefore limits the number of allowable spot lamps to one on a motorcycle and two on any other motor vehicle, and prescribes that every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed to the left of the center of the highway or more than 100 feet ahead of the vehicle.

Auxiliary driving lamps where properly used have been found both to conserve power and to make driving conditions for approaching traffic less difficult. Subdivision (b) therefore authorizes the equipment of a motor vehicle with not more than two such lamps, subject to certain restrictions.

Signal lamps are similarly recognized as an aid to other traffic when properly used, and subdivision (c) authorizes them subject to reasonable restrictions indicated.

Subdivision (d) provides that any other lighting device projecting a beam of greater than twenty-five candlepower shall be

directed in a manner described so as not to be objectionable to approaching traffic.

*Requirements as to Head Lamps and Auxiliary Driving Lamps.*—Section 60 relates to detailed requirements of head lamps and auxiliary driving lamps. They are based on consultation with lighting experts, vehicle manufacturers and others affected. They take into account the construction, arrangement and adjustment of the lamps, all of which must be such as to produce a driving light sufficient to reveal clearly a person 200 feet ahead but not project a glaring or dazzling light. What constitutes a glaring or dazzling light is carefully defined. The conditions under which head lamps may be dimmed, or beams tilted downward or one or both replaced by the light of an auxiliary driving lamp or lamps, are also set forth. Auxiliary lamps must also be free from glare and must render a person clearly discernible 75 feet ahead.

*Acetylene Lights.*—Section 61 recognizes acetylene lights as acceptable subject to well standardized requirements set forth.

*Test and Approval of Lamps.*—Many types of lamps, lenses and bulbs and arrangements of same have been developed and placed on the market to meet the universal demand for adequate lighting without glare. Sections 62-66 have been developed on the principle that it is desirable to encourage further effort along these lines, at the same time safeguarding the public against unsatisfactory lighting devices or use of same. It is therefore made unlawful in Section 62 to sell or offer for sale any lamp for motor vehicle use not certified by the commissioner as approved. The commissioner is required in Section 63 to adopt and enforce standard specifications as to the amount, color and direction of the light to be emitted, determine whether a type submitted complies with these specifications, and publish lists of approved devices, indicating in each case the permissible candlepower rating of the bulbs.

It is provided in Section 64 that any person may submit a lamp device for approval, and provision is further made for the testing of such devices by the Bureau of Standards or other recognized testing laboratory approved by the commissioner. Section 65 provides for the rendering of proper reports covering such tests. The commissioner is empowered in Section 66 to disre-

gard favorable reports of devices tested and to suspend or revoke approval issued on devices believed not to be meeting the requirements as they are being sold commercially.

As a guide to the commissioner in the specifications he is required to adopt, the specifications recommended by the Illuminating Engineering Society and approved by the American Engineering Standards Committee (now designated the American Standards Association) are presented in full in the note to Sections 62-66 inclusive.

*Enforcement of Provisions.*—Section 67 provides that when a driver equipped with approved lamps is arrested on the charge that they are not properly adjusted or equipped with proper bulbs, it shall be a defense that the person arrested produce a certificate from an official adjusting station showing that within 48 hours after such arrest the lamps have been made to conform with such requirements.

*Official Headlight Adjusting Stations.*—The importance of proper maintenance of certain equipment of motor vehicles, particularly lighting equipment and brakes, is emphasized in the report of the Committee on Maintenance of the Motor Vehicle of the National Conference on Street and Highway Safety. To encourage vehicle operators to maintain their headlights in proper condition, Section 68 authorizes the commissioner to designate and supervise official headlight adjusting stations and to issue certificates of adjustment covering vehicles whose lighting equipment is found to meet the requirements.

*Colored Lights Visible from Front.*—Colored lights visible from the front of a vehicle are likely to be misunderstood. Red or yellow lights are in direct conflict with the standard significance of such lights as marking the rear of a vehicle, while green lights are subject to possible interpretation as a signal to proceed. Such lights are therefore prohibited in Section 69.

### **Brakes**

Section 70 relating to brakes recognizes the fact that research work is being done constantly by the vehicle manufacturers and their engineers, making it undesirable to attempt to put into inflexible law the detailed requirements regarding braking performance.

It is accepted as essential and put into the law that each motor vehicle other than a motorcycle must have two separate means of applying the brakes, that they shall be maintained in good working order and that they shall conform to regulations not inconsistent with this section to be promulgated by the commissioner. The section does not state, as is stated in some existing laws, the distances within which which vehicles moving at different speeds must be capable of being stopped. These details are intended to be included in the rules promulgated by the commissioner, so that they can readily be modified from time to time if conditions make it advisable.

*Note.*—As a guide in determining reasonable requirements, the normal braking distance for a speed of 20 miles per hour is defined as 50 feet in the National Code on Brakes and Brake Testing.

### **Horns and Warning Devices**

It is apparent that the operator of every motor vehicle must have available a horn or similar device to give audible warning on occasions demanding it, as when overtaking and passing outside of a built-up urban district. Section 29 of the Act requires that such warning be given. Section 71 therefore requires that each vehicle have a horn.

It also provides that certain specified emergency vehicles shall be equipped with a bell, siren or exhaust whistle of a type approved by the commissioner, and that other vehicles shall not carry such warning devices.

### **Mirrors**

It is deemed imperative for safety that vehicle operators shall be able to see other vehicles approaching from the rear in order to avoid swerving into their paths. In some states it is required that every motor vehicle shall be equipped with a mirror so located as to reflect to the driver a view of the highway to the rear. It is not deemed necessary to impose this requirement on all vehicles, but Section 72 requires a mirror on every motor vehicle so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position. Such mirrors must reflect a view of the highway for a distance of at least 200 feet to the rear.

### **Windshields and Wipers**

Further recognizing the importance of a clear view from the driver's position, Section 73 prohibits carrying any poster or any nontransparent material either on the front windshield, side wings or side or rear windows, other than a certificate or other paper required by law to be so displayed. The section also requires that every windshield shall be equipped with a device controlled by the operator for cleaning rain, snow or other moisture from the windshield. It is recognized that the danger of a collision either with another vehicle or with a pedestrian is greatly increased if the operator can see ahead only dimly or scarcely at all.

### **Flag or Light at End of Load**

While the Act in Section 78 prohibits a load projecting more than three feet beyond the front of a vehicle under any condition, it is recognized that it is necessary to transport poles, structural steel and other long, rigid commodities on the highways, and that it would work unnecessary hardship to require that they in all cases be supported at both ends through the use of equally long vehicles or trailers. Section 74 permits loads overhanging at the rear of the vehicle, establishing no limit to such overhang. To warn other traffic, however, any load extending more than four feet beyond the rear of the bed or body of a motor vehicle must carry at all times a conspicuous warning signal. By day this must be a red flag not less than 12 inches in each dimension, while after dark it must be a red light plainly visible for at least 200 feet under normal atmospheric conditions.

### **Noise, Smoke and Muffler Cut-Outs**

It is assumed in Section 75 that a reasonable condition under which a motor vehicle may be operated on a public highway is that it shall be equipped with a muffler capable of preventing excessive or unusual noise and annoying smoke. It is further made unlawful to use a muffler cut-out.

### **Commissioner Authorized to Inspect Vehicles**

The desirability of Section 76, authorizing the commissioner or his assistants to inspect vehicles at any time, is apparent.

## ARTICLE XVI—SIZE, WEIGHT AND CONSTRUCTION

The same considerations which point to the desirability of uniformity in equipment requirements indicate the need for uniformity in those relating to the size, weight and construction of vehicles.

### Scope and Effect of Regulations

Section 77 is a necessary provision to make it specifically unlawful to operate or permit to be operated on a highway a vehicle not conforming to the succeeding provisions.

### Size of Vehicles and Loads

As a result of extended conferences between representatives of the manufacturers and operators of motor equipment and representatives of the state and federal highway departments, agreement has been reached as to proper limiting sizes of vehicles and loads. These limits are specified in Section 78.

*Widths.*—Subject to certain exceptions, the limiting width as stated in subdivision (a) is 8 feet. While there are still many improved highways only 15 or 16 feet wide, recent construction of two-lane highways is mostly 18 or 20 feet. On such a roadway two 8-foot vehicles can pass without serious difficulty, and the narrower private vehicles likely to be under less skilful guidance can meet and pass 8-foot vehicles without reducing speed. This would not be true if the large vehicles were much wider, but an increased width of one foot is deemed permissible in the case of the infrequent farm tractor, and no limiting width is felt to be practicable with regard to implements of husbandry temporarily propelled or moved on the public highway.

*Heights.*—Heights, whether of unladen vehicles or vehicles with loads, are limited in subdivision (b) to 14 feet 6 inches. Prevailing clearances for overhead structures have a large bearing on this height. Chief among such structures are bridges carrying railroad tracks or major highways in grade separations, and the wind bracing of large steel bridges. The specified limit also takes into consideration the heights of street cars which must be accommodated by many of these structures. The limit established is therefore more liberal than is likely to be needed by very many motor ve-

hicles, and there are doubtless many overhead structures under which vehicles of this height could not pass. It is believed that state highway departments, municipal authorities, railroad commissions and the railroads themselves should cooperate with a view to providing ultimately clearances on all major highways to meet this limit. Until that is accomplished it will obviously often be necessary for the routes of vehicles of maximum height to be worked out in accordance with existing clearances.

*Lengths.*—Subdivision (c) limits the length of a single vehicle to 33 feet and that of a combination of vehicles coupled together to 85 feet. The length for a single vehicle takes into account maximum standards that have been developed for buses and trucks, while the length of train is sufficient to accommodate a motor truck with standard semi-trailer and one additional trailer, which is the maximum permitted under Section 79 to be referred to. It is believed that these lengths are economically desirable and are permissible in accordance with present highway standards, and that to exceed them will introduce serious hazards, particularly in view of the large radius required in making turns.

*Overhanging Loads.*—Subdivisions (d) and (e) restrict overhanging loads. The former paragraph prohibits a load projecting beyond the front of the vehicle more than three feet, on account both of the danger of such a projection not being observed by other operators or pedestrians and because of the likelihood of miscalculation in approaching other vehicles or making turns on the part of the operator of the vehicle carrying the load. Similar considerations have led to the prohibition of a load on the left side extending beyond the line of the fenders or on the right side extending more than six inches beyond the line of the fenders. The prohibition of any overhang whatever on the left side is in recognition of the danger of collision between two vehicles meeting and passing on a narrow highway. The danger exists to a lesser degree with respect to overtaking and passing other vehicles, hence the six-inch limitation on the righthand side.

### **Trailers and Towed Vehicles**

Section 79 recognizes the necessity of providing for the towing of disabled vehicles and also the economy of utilizing trailers



in transporting freight on the highways. It is deemed fair, however, and necessary in the interest of safety, to prohibit towing of more than one other vehicle, a vehicle with semi-trailer being regarded as a single vehicle in this connection.

Recognizing the disaster which will result if an operator attempts to cross between a towing vehicle and one being towed at the end of a long line, the section provides that the towing line shall not exceed 15 feet in length and that it shall be plainly marked by a red flag or other cloth not less than 12 inches both in length and width.

### **Weight of Vehicles and Loads**

It is evident that to permit on the one hand the most economical use of motor equipment feasible on our highways and on the other hand to prevent the rapid destruction of highways by motor equipment for which they were not designed, there should be a definite relationship between the design of each highway and the weight of the vehicle and load permitted upon it. Representatives of the motor vehicle manufacturers and users and the highway engineers have given extended consideration to this relationship and have evolved a suggested classification of highways, according to use, into four groups. It is believed desirable that weight restrictions should be more or less flexible to meet changing conditions and should be left in the hands of the state highway commissions. Section 80 on weight of vehicles and loads is therefore indicated by title only, but details of a suggested classification and the desirable wheel-load and axle-load limits corresponding to each class are presented in an extended note to the section.

### **Peace Officer May Weigh Vehicle**

If weights of vehicles and loads are restricted by law or by regulations having the effect of law, it is important that practical means be provided for enforcement of the restrictions and prevention of destruction of the highways. Section 81 therefore provides that any peace officer having reason to believe that the weight of a vehicle and load is unlawful may weigh the same

or require it to be weighed, and may require the immediate removal of any excess load.

### **Permits for Excessive Size and Weight**

There are occasions when it is virtually necessary to move on the highways dynamos or other pieces of machinery or structural material heavier than might legally be transported. Section 82 empowers the state highway authorities with respect to rural highways and the local authorities in their respective jurisdictions to grant special permits for moving such heavy loads. The section as written provides the desirable safeguards that each permit shall be for a single trip and that the route to be traversed and any other restrictions or conditions deemed necessary must be stipulated. Such a provision recognizes the fact determined by repeated tests that a limited degree of overloading of a properly constructed highway does not result in immediate breaking down of the highway structure, although repeated overloading is accompanied by gradual and increasingly rapid breaking down.

### **When Local Authorities May Restrict Use of Highways**

Research has determined definitely that under certain conditions, as when the frost is coming out of the ground in early spring, a roadway can safely sustain only a small percentage of what it can carry under normal conditions.

A large part of the destruction of highways has been observed to take place under such abnormal conditions. Section 83 therefore empowers local authorities to impose special weight restrictions or even prohibit the operation of vehicles on a given highway for a period not to exceed 90 days in any calendar year when they believe it necessary to protect the highway.

The same section empowers the local authorities to prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof, on designated highways. This part of the section recognizes the desirability of permitting municipalities both to set aside certain thoroughfares for private or passenger car use and to confine commercial-vehicle operation in certain residential areas as far as practicable to certain thoroughfares. Such prohibitions or restrictions must, however, be clearly indicated by appropriate signs.

### **Restrictions as to Tire Equipment**

Tests on the wearing ability of highways have shown that the type and condition of the tires on motor vehicles has a large bearing. Section 84 imposes the tire requirements found to be necessary to prevent undue damage to the highway. Subdivision (a) requires a minimum thickness of rubber on the entire traction surface of solid rubber tires. Subdivision (b) prohibits protuberances other than rubber beyond the tread of the traction surface of the tire, except that farm machinery may have protuberances which will not injure the highways and except also that tire chains of reasonable proportions may be used when required for safety. Subdivision (c) empowers the proper authorities to issue special permits to allow the movement on a highway of traction engines or tractors on movable tracks with transverse corrugations.

### **Sifting or Leaking Loads**

Unless prohibited by law, vehicles might be so constructed or carelessly loaded as to scatter their contents along the roadway to an objectionable or dangerous extent. This is prohibited in Section 85.

## **ARTICLE XVII—PENALTIES**

Special penalties are provided in Section 15, 18 and 19 for the particularly serious offenses of failing to stop in the event of an accident involving injury or death to a person, driving while under the influence of intoxicating liquor or narcotic drugs, and reckless driving. For each of these offenses minimum as well as maximum penalties are provided, in order to make certain that a person guilty of such an offense may not escape with an inadequate sentence if he happens to come before a court not thoroughly conversant with the seriousness of the offense.

All other traffic violations are classed in Section 86 as misdemeanors. For these only maximum penalties are provided, the belief being that within the maximum limits the precise penalties should be left to the discretion of the court.

**ARTICLE XVIII—PROCEDURE UPON ARREST AND DISPOSITION OF FINES**

Article XVII relates to procedure upon arrest, reports and disposition of fines and forfeitures.

**Appearance Upon Arrest**

Section 87 covers appearance upon arrest for a misdemeanor. In the case of a major offense, the arresting officer is required to take the offender before the nearest accessible magistrate, but otherwise he shall issue a summons to the offender to appear in court, allowing him at least five days for such appearance, unless he desires earlier action.

This section as framed permits the adoption of violations bureaus as now in successful use in a number of cities. Under this system the advantages of such bureaus are set forth in the following paragraphs quoted from the explanatory text accompanying the Model Municipal Traffic Ordinance:

“Where the traffic court is clogged with minor infractions, making it impossible to give adequate attention to serious cases and also consuming valuable time of police officers, it is often desirable to establish a traffic violations bureau in which minor cases may be settled on payment of predetermined fines. This bureau should form a part of and be under the jurisdiction of the traffic court. The defendant may, of course, demand a regular trial if he wishes. Such a bureau may in some cities be first established by a simple order of the court, in other cases an ordinance may be required, but in all cases it is desirable that the bureau eventually be recognized and established by ordinance.

“Neither a traffic violations bureau nor a special traffic court is a panacea for the evil of fixing or otherwise improperly handling traffic violations, nor should it be looked upon as a convenience for the violator. It is simply a means of improving the efficiency of handling traffic cases. It will be successful in proportion to the intelligence and sincerity with which it is directed. Careful and accurate records are essential, including an index file of individuals, to yield prompt and accurate information on repeated violations.”

**Reports of Convictions**

Section 88 requires that reports of convictions be sent to the department. The importance of this is manifest as a means of keeping a record of past performances in any state were, as provided in the third Act of the Code, it is required that operators be licensed. Such records will afford the basis for cooperation between the states in enforcement of the motor vehicle laws.

**Fines and Forfeitures**

Section 89 provides that fines and forfeitures for traffic violations be deposited in a special fund for highway work. It is felt that it is wrong in principle to permit the prosecuting authorities to derive any benefit from fines or forfeitures collected, inasmuch as the purpose of such penalties is solely to protect the public.

**ARTICLE XIX—EFFECT OF ACT**

Sections 90-94 are standard provisions the desirability of which is apparent.