

Act V

UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

This Act is part of
Uniform Vehicle Code

CONSISTING OF

- I.—“Uniform Motor Vehicle Administration, Registration,
Certificate of Title and Antitheft Act”
- II.—“Uniform Motor Vehicle Operators’ and Chauffeurs’
License Act”
- III.—“Uniform Motor Vehicle Civil Liability Act”
- IV.—“Uniform Motor Vehicle Safety Responsibility Act”
- V.—“Uniform Act Regulating Traffic on Highways”

As revised and approved by the Fourth National Conference on Street
and Highway Safety, May 23-25, 1934

U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PUBLIC ROADS



PUBLISHED UNDER AUTHORITY CONTAINED IN
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II

FOREWORD

This act is one of five acts which constitute the uniform vehicle code as revised and recommended for State enactment as the foundation for uniform traffic regulation

The uniform vehicle code was originally prepared in 1925-26 by the National Conference on Street and Highway Safety in cooperation with the National Conference of Commissioners on Uniform State Laws. It was reviewed and revised by the National Conference on Street and Highway Safety in 1930 and again this year. In each case the revisions were based upon thorough study by a representative committee, extending over a period of months, of the provisions of the various acts in the light of experience and changed conditions.

The changes in substance in the present code from the 1930 draft are few. The speed restrictions have been rewritten to make them simpler and more easily understood. The lighting provisions for motor vehicles have been revised in recognition of recent mechanical developments. Changes have been made in the sections dealing with sizes and weights of motor vehicles. There has been incorporated provision for periodic inspection of motor vehicles.

The first two acts of the 1930 draft, covering respectively vehicle registration and certificate of title, have been consolidated and amplified to provide for a highway patrol and new administrative features. Two new acts have been added, dealing respectively with civil liability and safety responsibility. Former acts III and IV, covering respectively drivers' licenses and regulation of traffic on highways, have been renumbered acts II and V. In all of the acts long sections have been broken up into shorter sections for clarity.

The National Conference on Street and Highway Safety, as heretofore, recommends two other sets of standards to supplement the uniform vehicle code—a model municipal traffic ordinance for municipalities and a Manual on Uniform Traffic Control Devices—the latter now covering conditions both in rural areas and in cities.

The importance of uniform legislative standards in reducing accidents and facilitating the movement of traffic cannot be overestimated, and the adoption of these standards by all States and municipalities is earnestly recommended.

DANIEL C. ROPER,
*Secretary of Commerce, Chairman,
National Conference on Street and Highway Safety*

WASHINGTON, D. C., July 31, 1934

NOTE—The following associations have cooperated with the Department of Commerce in conducting the Conference: Bureau of Public Roads, U. S. Department of Agriculture; American Association of Motor Vehicle Administrators; American Automobile Association; American Mutual Alliance; American Railway Association; American Transit Association; Chamber of Commerce of the United States; National Automobile Chamber of Commerce; National Bureau of Casualty and Surety Underwriters; and National Safety Council. The Automobile Club of Southern California has made substantial contributions to the staff work of the uniform vehicle code and model municipal traffic ordinance.

ACT V — UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

TABLE OF CONTENTS

ARTICLE I — WORDS AND PHRASES DEFINED

	Page
Subdivision I Vehicles and equipment defined (secs 2 to 7).....	1
Subdivision II Governmental agencies, persons, owners, etc., defined (secs 8 to 11).....	2
Subdivision III. Highways, restricted districts, zones, etc., defined (secs 12 to 19).....	3

ARTICLE II — OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

Section 20 Provisions of act refer to vehicles upon the highways, exceptions.....	4
Section 21 Required obedience to traffic laws.....	4
Section 22 Obedience to police officers.....	4
Section 23 Public officers and employees to obey act, exceptions.....	4
Section 24 Traffic laws apply to persons riding bicycles or animals or driving animal-drawn vehicles.....	5
Section 25 Provisions of act uniform throughout State.....	5
Section 26 Powers of local authorities.....	5
Section 27 This act not to interfere with rights of owners of real property with reference thereto.....	5

ARTICLE III — TRAFFIC SIGNS, SIGNALS AND MARKINGS

Section 28 (State highway commission) to adopt sign manual.....	6
Section 29 (State highway commission) to sign all State (and county) highways.....	6
Section 30 Local traffic control devices.....	6
Section 31 Obedience to official traffic control devices.....	6
Section 32 Traffic control signal legend.....	6
Section 33 Flashing signals.....	7
Section 34 Display of unauthorized signs, signals, or markings.....	7
Section 35 Interference with official traffic control devices or railroad signs or signals.....	8

ARTICLE IV — ACCIDENTS

Section 36 Accidents involving death or personal injuries.....	8
Section 37 Accident involving damage to vehicle.....	8
Section 38 Duty to give information and render aid.....	8
Section 39 Duty upon striking unattended vehicle.....	9
Section 40 Duty upon striking fixtures upon a highway.....	9
Section 41 Duty to report accidents.....	9
Section 42 When driver unable to report.....	9
Section 43 Accident report forms.....	9
Section 44 Coroners to report.....	9
Section 45 Accident reports confidential.....	10
Section 46 Department to tabulate and analyze accident reports.....	10
Section 47 Any incorporated city may require accident reports.....	10

ARTICLE V — NEGLIGENT HOMICIDE, DRIVING WHILE INTOXICATED, AND RECKLESS DRIVING

Section 48 Negligent homicide.....	10
Section 49 Persons under the influence of intoxicating liquor or narcotic drugs.....	10
Section 50 Reckless driving.....	11

ARTICLE VI — SPEED RESTRICTIONS		Page
Section 51	Speed restrictions.....	11
Section 52	When local authorities may alter prima facie limits.....	12
Section 53	Minimum speed regulations.....	12
Section 54	Special speed limitation on elevated structures.....	12
Section 55	When speed restrictions not applicable.....	13
ARTICLE VII — DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING, ETC		
Section 56	Drive on right side of roadway—exceptions.....	13
Section 57	Passing vehicles proceeding in opposite directions.....	13
Section 58	Overtaking a vehicle on the left.....	13
Section 59	When overtaking on the right is permitted.....	13
Section 60	Limitations on overtaking on the left.....	14
Section 61	One-way roadways and rotary traffic islands.....	14
Section 62	Driving on roadways laned for traffic.....	14
Section 63	Following too closely.....	14
ARTICLE VIII — TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING		
Section 64	Turning at intersections.....	15
Section 65	Turning on curve or crest of grade prohibited.....	15
Section 66	Starting parked vehicle.....	15
Section 67	When signal required.....	15
Section 68	Signals by hand and arm or signal device.....	16
Section 69	Method of giving hand and arm signals.....	16
Alt Sec 69	Method of giving hand and arm signals.....	16
ARTICLE IX — RIGHT OF WAY		
Section 70	Vehicles approaching or entering intersection.....	16
Section 71	Vehicle turning left at intersection.....	16
Section 72	Vehicle entering through highway or stop intersection.....	16
Section 73	Vehicle entering highway from private road or driveway.....	17
Section 74	Operation of vehicles and street cars on approach of author- ized emergency vehicles.....	17
ARTICLE X — PEDESTRIANS' RIGHTS AND DUTIES		
Section 75	Pedestrians subject to traffic-control signals.....	17
Section 76	Pedestrians' right of way at crosswalks.....	17
Section 77	Crossing at other than crosswalks.....	17
Section 78	Pedestrians to use right half of crosswalks.....	18
Section 79	Pedestrians soliciting rides.....	18
ARTICLE XI — STREET CARS AND SAFETY ZONES		
Section 80	Passing street car on left.....	18
Section 81	Passing street car on right.....	18
Section 82	Driving on street car tracks.....	18
Section 83	Driving through safety zone prohibited.....	19
ARTICLE XII — SPECIAL STOPS REQUIRED		
Section 84	Obedience to signal indicating approach of train.....	19
Section 85	All vehicles must stop at certain railroad grade crossings.....	19
Section 86	Certain vehicles must stop at all railroad grade crossings.....	19
Section 87	Moving heavy equipment at railroad grade crossing.....	19
Section 88	Vehicles must stop at through highways.....	20
Section 89	Stop before emerging from alley or private driveway.....	20
ARTICLE XIII — STOPPING, STANDING, AND PARKING		
Section 90	Stopping, standing, or parking outside of business or resi- dence districts.....	20
Section 91	Officers authorized to remove illegally stopped vehicles.....	21
Section 92	Stopping, standing, or parking prohibited in specified places..	21
Section 93	Parking at right-hand curb.....	21

ARTICLE XIV—MISCELLANEOUS RULES

	Page
Section 94 Unattended motor vehicle.....	22
Section 95 Obstruction to driver's view or driving mechanism.....	22
Section 96 Driving on mountain highways.....	22
Section 97 Coasting prohibited.....	22
Section 98 Following fire apparatus prohibited.....	22
Section 99 Crossing fire hose.....	22
Section 100 Putting glass, etc., on highway prohibited.....	22
Section 101 Overtaking and passing school bus.....	23
Section 102 Regulations relative to school busses.....	23

ARTICLE XV—EQUIPMENT

Section 103 Scope and effect of regulations.....	23
Section 104 When lighted lamps are required.....	23
Section 105 Head lamps on motor vehicles.....	24
Section 106 Rear lamps and reflectors.....	24
Section 107 Clearance, identification, and side-marker lamps.....	24
Section 108 Lamp or flag on projecting load.....	25
Section 109 Lamps on parked vehicles.....	25
Section 110 Lamps on bicycles.....	26
Section 111 Lamps on other vehicles and equipment.....	26
Section 112 Spot lamps and auxiliary driving lamps.....	26
Section 113 Signal lamps and signal devices.....	26
Section 114 Additional lighting equipment.....	26
Section 115 Multiple-beam road-lighting equipment.....	26
Section 116 Use of multiple-beam road-lighting equipment.....	27
Section 117 Single-beam road-lighting equipment.....	28
Section 118 Alternate road-lighting equipment.....	28
Section 119 Number of driving lamps required or permitted.....	28
Section 120 Special restrictions on lamps.....	28
Section 121 Selling or using lamps or devices.....	29
Section 122 Authority of commissioner with reference to lighting devices.....	29
Section 123 Revocation of certificate of approval on lighting devices.....	29
Section 124 Brakes.....	30
Section 125 Horns and warning devices.....	31
Section 126 Mufflers—prevention of noise.....	31
Section 127 Mirrors.....	31
Section 128 Windshields must be unobstructed and equipped with wipers.....	31
Section 129 Restrictions as to tire equipment.....	32
Section 130 Safety glass in motor vehicles.....	32
Section 131 Trucks to carry flares or similar devices.....	32
Section 132 Vehicles transporting explosives.....	33
Section 133 Appointment of official inspection stations.....	33
Section 134 Commissioner to require periodical inspection.....	34
Section 135 Operation of official inspection stations.....	34
Section 136 Improper representation as official station.....	34
Section 137 Owners and drivers to comply with inspection laws.....	35
Section 138 Enforcement by police officers.....	35

ARTICLE XVI—SIZE, WEIGHT, AND LOAD

Section 139 Scope and effect of article.....	35
Section 140 Width of vehicles.....	36
Section 141 Projecting loads on passenger vehicles.....	36
Section 142 Height and length of vehicles.....	36
Section 143 Spilling loads on highway prohibited.....	36
Section 144 Trailers and towed vehicles.....	37
Section 145 Wheel and axle loads.....	37
Section 146 Gross weight of vehicles and loads.....	37
Section 147 Officers may weigh vehicles and require removal of excess loads.....	38
Section 148 Permits for excess size and weight.....	39
Section 149 When (the State highway commission) or local authorities may restrict right to use highways.....	39
Section 150 Liability for damage to highway or structure.....	40

ARTICLE XVII—PENALTIES AND DISPOSITION OF FINES AND FORFEITURES

	Page
Section 151 Penalties for misdemeanor.....	40
Section 152 Disposition of fines and forfeitures.....	40

ARTICLE XVIII—PARTIES, PROCEDURE UPON ARREST AND REPORTS IN CRIMINAL CASES

Section 153 Parties to a crime.....	41
Section 154 Offenses by persons owning or controlling vehicles.....	41
Section 155 When person arrested must be taken immediately before a magistrate.....	41
Section 156 When person arrested to be given 5 days' notice to appear in court.....	41
Section 157 Violation of promise to appear.....	42
Section 158 Procedure prescribed herein not exclusive.....	42
Section 159 Record of conviction inadmissible in a civil action.....	42
Section 160 Conviction for traffic violation not to effect credibility of witness.....	42
Section 161 Convictions to be reported to department.....	42

ARTICLE XIX—EFFECT OF AND SHORT TITLE OF ACT

Section 162 Uniformity of interpretation.....	43
Section 163 Short title.....	43
Section 164 Constitutionality.....	43
Section 165 Repeal.....	43
Section 166 Time of taking effect.....	43

ACT V—UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

TITLE OF ACT

An act regulating traffic on highways and defining certain crimes in the use and operation of vehicles, 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

WORDS AND PHRASES DEFINED

SEC 1 *Definition of words and phrases*—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 article

SUBDIVISION I.—VEHICLES AND EQUIPMENT DEFINED

SEC 2 (a) *Vehicle*—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks

(b) *Motor vehicle*—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails

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

(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) *School bus*—Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school

SEC 3 (a) *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

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

(c) *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.

SEC. 4. (a) *Trailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(b) *Semitrailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

SEC. 5. (a) *Pneumatic tire*.—Every tire in which compressed air is designed to support the load.

(b) *Solid tire*.—Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(c) *Metal tire*.—Every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

SEC. 6. (a) *Railroad*.—A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

(b) *Railroad train*.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

(c) *Street car*.—A car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

SEC. 7. (a) *Explosives*.—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

(b) *Flammable liquid*.—Any liquid which has a flash point of 70° F., or less, as determined by a tabliabue or equivalent closed cup test device.

SUBDIVISION II.—GOVERNMENTAL AGENCIES, PERSONS, OWNERS, ETC., DEFINED

SEC. 8. (a) *Commissioner*.—The commissioner of motor vehicles of this State.

(b) *Department*.—The department of motor vehicles of this State acting directly or through its duly authorized officers and agents.

SEC. 9. (a) *Person*.—Every natural person, firm, copartnership, association, or corporation.

(b) *Pedestrian*.—Any person afoot.

(c) *Driver*—Every person who drives or is in actual physical control of a vehicle

(d) *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

SEC 10 *Police officer*—Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

SEC 11 *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

SUBDIVISION III—HIGHWAYS, RESTRICTED DISTRICTS, ZONES, ETC., DEFINED

SEC 12 (a) *Street or highway*—The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic¹

(b) *Private road or driveway*—Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons

(c) *Roadway*—That portion of a highway improved, designed, or ordinarily used for vehicular travel

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

(e) *Laned highway*—A highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic

(f) *Through highway*—Every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act

SEC 13 *Intersection*—The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict

SEC 14 *Crosswalk*—(a) That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections

(b) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface

SEC 15 *Safety zone*—The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected

¹The above definition renders the terms "street" or "highway" synonymous and interchangeable

or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone

SEC 16 (a) *Business district*—The territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business

(b) *Residence district*—The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business

SEC 17 (a) *Official traffic control devices*—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 regulating, warning, or guiding traffic

(b) *Official traffic control signal*—Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed

(c) *Railroad sign or signal*—Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train

SEC 18 *Traffic*—Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any highway for purposes of travel

SEC 19 *Right-of-way*—The privilege of the immediate use of the highway

ARTICLE II

OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

SEC 20 *Provisions of act refer to vehicles upon the highways—exceptions*—The provisions of this act relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

1 Where a different place is specifically referred to in a given section

2 The provisions of articles IV and V shall apply upon highways and elsewhere throughout the State

SEC 21 *Required obedience to traffic laws*—It is unlawful and, unless otherwise declared in this title with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this act

SEC 22 *Obedience to police officers*—No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic

SEC 23 *Public officers and employees to obey act—exceptions.*—(a) 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 the United States, 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

(b) The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past such red or stop sign or signal. At other times drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

(c) No driver of any authorized emergency vehicle shall assume any special privilege under this act except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

(d) 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.

SEC 24 *Traffic laws apply to persons riding bicycles or animals or driving animal-drawn vehicles*—Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway 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 nature can have no application.

SEC. 25 *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. Local authorities may, however, adopt additional traffic regulations which are not in conflict with the provisions of this act.

SEC 26 *Powers of local authorities*—(a) The provisions of this act shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from—

- 1 Regulating the standing or parking of vehicles;
- 2 Regulating traffic by means of police officers or traffic control signals;
- 3 Regulating or prohibiting processions or assemblages on the highways;
- 4 Designating particular highways as one way highways and requiring that all vehicles thereon be moved in one specific direction;
- 5 Regulating the speed of vehicles in public parks;
- 6 Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to such intersections;
- 7 Restricting the use of highways as authorized in article XVI of this act.

(b) No ordinance or regulation enacted under subdivisions (4), (5), (6), or (7) of this section shall be effective until signs giving notice of such local traffic regulations are posted upon or at the entrances to the highway or part thereof affected as may be most appropriate.

SEC 27 *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

SEC 28 *State highway commission to adopt sign manual*—(The State highway commission) shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this act for use upon highways within this State. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State highway officials.

SEC 29 *(State highway commission) to sign all State (and county) highways*—(a) (The State highway commission) shall place and maintain such traffic-control devices, conforming to its manual and specifications, upon all State (and county) highways as it shall deem necessary to indicate and to carry out the provisions of this act or to regulate, warn, or guide traffic.

(b) No local authority shall place or maintain any traffic-control device upon any highway under the jurisdiction of (the State highway commission) except by the latter's permission.

SEC 30 *Local traffic-control devices*—(a) Local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this act or local traffic ordinances or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the State manual and specifications.²

(b) Optional: Local authorities in exercising those functions referred to in the preceding paragraph shall be subject to the direction and control of (the State highway commission).³

SEC 31 *Obedience to official traffic-control devices*—No driver of a vehicle or motorman of a street car shall disobey the instructions of any official traffic-control device placed in accordance with the provisions of this act, unless at the time otherwise directed by a police officer.

SEC 32 *Traffic-control signal legend*—Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution", or "Stop" or exhibiting different colored lights successively one at a time the following colors only shall be used and said terms and lights shall indicate as follows:

² SEC 30 Sub (a) leaves to local authority complete jurisdiction to determine the number and location of all such traffic-control devices upon highways under their jurisdiction requiring only that all such devices shall conform to the State manual and specifications.

³ Optional Sub (b) if adopted would vest in the (State highway commission) authority to direct and control where and what number of traffic-control devices might be erected by local authorities. This may be objectionable to some local authorities although it is recognized that in certain instances local authorities having a free hand in this matter have erected such numbers of regulatory signs and signals as to unduly delay traffic and invite disobedience by the motoring public.

(a) Green alone or "Go"

1 Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited

2 Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk

(b) Yellow alone or "Caution" when shown following the green or "Go" signal

1 Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection

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

(c) Red alone or "Stop"

1 Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall remain standing until green or "Go" is shown alone

2 No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic

(d) Red with green arrow

1 Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk

2 No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic

(e) The motorman of any street car shall obey the above signals as applicable to vehicles⁴

SEC 33 *Flashing signals.*—Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

1 Flashing red (stop signal) When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign

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

SEC 34 *Display of unauthorized signs, signals, or markings*—

(a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device

⁴ It is recommended that the color yellow be used only before red. If yellow is used following the red, traffic facing a signal has a tendency to start before the green signal appears, causing interference with cross traffic clearing the intersection

which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(b) Every such prohibited sign, signal, or marking 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.

SEC. 35 *Interference with official traffic-control devices or railroad signs or signals*—No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

ARTICLE IV

ACCIDENTS

SEC 36 *Accidents involving death or personal injuries*—(a) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of section 38. Every such stop shall be made without obstructing traffic more than is necessary.

(b) Any person failing to stop or to comply with said requirements under such circumstances shall upon conviction be punished by imprisonment for not less than 30 days nor more than 1 year or by fine of not less than \$100 nor more than \$5,000, or by both such fine and imprisonment.

(c) The commissioner shall revoke the operator's or chauffeur's license of the person so convicted.

SEC 37 *Accident involving damage to vehicle*—The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of section 38. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor.

SEC 38 *Duty to give information and render aid*—The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration

number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person

SEC 39 *Duty upon striking unattended vehicle*—The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof

SEC 40 *Duty upon striking fixtures upon a highway*—The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license and shall make report of such accident when and as required in section 41 hereof

SEC 41 *Duty to report accidents*—(a) The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$50 or more shall, within 24 hours after such accident, forward a written report of such accident to the department

(b) The department may require any driver of a vehicle involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient in the opinion of the department and may require witnesses of accidents to render reports to the department

SEC 42 *When driver unable to report*—Whenever the driver of a vehicle is physically incapable of making a required accident report and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made said report

SEC 43 *Accident report forms*—(a) The department shall prepare and upon request supply to police departments, coroners, sheriffs, and other suitable agencies or individuals, forms for accident reports required hereunder, which reports shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicles involved

(b) Every required accident report shall be made on a form approved by the department

SEC 44 *Coroners to report*—Every coroner or other official performing like functions shall on or before the 10th day of each month report in writing to the department the death of any person within

his jurisdiction during the preceding calendar month as the result of an accident involving a motor vehicle and the circumstances of such accident

SEC 45 *Accident reports confidential*—All required accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the department except that the department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department shall furnish upon demand of any person who has, or claims to have, made such a report or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the department

SEC 46 *Department to tabulate and analyze accident reports*—The department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based thereon as to the number and circumstances of traffic accidents

SEC 47 *Any incorporated city may require accident reports*—Any incorporated city, town, village, or other municipality may by ordinance require that the driver of a vehicle involved in an accident shall also file with a designated city department a report of such accident or a copy of any report herein required to be filed with the department. All such reports shall be for the confidential use of the city department and subject to the provisions of section 45 of this act

ARTICLE V

NEGLIGENT HOMICIDE, DRIVING WHILE INTOXICATED, AND RECKLESS DRIVING

SEC. 48 *Negligent homicide*—(a) When the death of any person ensues within 1 year as a proximate result of injury received by the driving of any vehicle in reckless disregard of the safety of others, the person so operating such vehicle shall be guilty of negligent homicide

(b) Any person convicted of negligent homicide shall be punished by imprisonment for not more than 1 year or by fine of not less than \$100 nor more than \$1,000, or by both such fine and imprisonment

(c) The commissioner shall revoke the operator's or chauffeur's license of any person convicted of negligent homicide

SEC 49 *Persons under the influence of intoxicating liquor or narcotic drugs*—(a) It is 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 within this State

(b) Every person who is convicted of a violation of this section shall be punished by imprisonment for not less than 10 days nor more than 1 year, or by fine of not less than \$100 nor more than \$1,000,

or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than 90 days nor more than 1 year, and, in the discretion of the court, a fine of not more than \$1,000

The commissioner shall revoke the operator's or chauffeur's license of any person convicted under this section ⁵

SEC 50 *Reckless driving* — (a) Any person who drives any vehicle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving

(b) Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not less than 5 days nor more than 90 days, or by fine of not less than \$25 nor more than (\$500), or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than 10 days nor more than 6 months, or by a fine of not less than \$50 nor more than (\$1,000), or by both such fine and imprisonment

ARTICLE VI

SPEED RESTRICTIONS

SEC 51 *Speed restrictions* — (a) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing

(b) Where no special hazard exists the following speeds shall be lawful but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

- 1 Twenty miles per hour in any business district;
- 2 Twenty-five miles per hour in any residence district;
- 3 Forty-five miles per hour under other conditions

(c) The fact that the speed of a vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care

(d) Whenever the (State highway commission) shall determine upon the basis of an engineering and traffic investigation that any prima facie speed hereinbefore set forth is greater than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, said (commission) shall determine and declare a reasonable and safe prima facie speed limit thereat which shall be effective when appropriate signs giving notice

⁵ Secs 48, 49, and 50 apply whether any such offense is committed upon a public highway or elsewhere within the State

thereof are erected at such intersection or other place or part of the highway.

(e) 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 prima facie speed applicable within the district or at the location

(f) The foregoing provisions of this section 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

SEC 52 *When local authorities may alter prima facie limits*—

(a) Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that the prima facie speed permitted under this act at any intersection is greater than is reasonable or safe under the conditions found to exist at such intersection, such local authority shall determine and declare a reasonable and safe prima facie speed limit thereat, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or upon the approaches thereto

(b) Local authorities in their respective jurisdictions may in their discretion authorize by ordinance higher prima facie speeds than those stated in section 51 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 authorized speed, but local authorities shall not have authority to modify or alter the basic rule set forth in subdivision (a) of section 51 or in any event to authorize by ordinance a speed in excess of 45 miles per hour

SEC 53 *Minimum speed regulation*—No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law

Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent willful 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 a misdemeanor

SEC 54 *Special speed limitation on elevated structures*—(a) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is sign posted as provided in this section

(b) The (State highway commission) upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, 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 100 feet before each end of such structure

(c) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by said (commission) and the existence of said signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure

SEC 55 *When speed restrictions not applicable*—The prima facie speed limitations set forth in this article shall not apply to authorized emergency vehicles when responding to emergency calls 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

DRIVING ON RIGHT SIDE OF ROADWAY—OVERTAKING AND PASSING, ETC

SEC 56. *Drive on right side of roadway—exceptions*—Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

1 When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

2 When the right half of a roadway is closed to traffic while under construction or repair;

3 Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or

4 Upon a roadway designated and sign posted for one way traffic.

SEC 57 *Passing vehicles proceeding in opposite directions*—Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

SEC 58 *Overtaking a vehicle on the left*—The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle

SEC 59 *When overtaking on the right is permitted*—(a) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn

(b) The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unob-

ructed pavement of sufficient width for four or more lines of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

SEC 60 *Limitations on overtaking on the left*—(a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

(b) No vehicle shall, in overtaking and passing another vehicle at any other time, be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed;

2. When approaching within 100 feet of any bridge, viaduct, or tunnel or when approaching within 100 feet of or traversing any intersection or railroad grade crossing;

3. Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked, which distinctive line also so directs traffic as declared in the sign manual adopted by the State highway commission)

SEC 61 *One-way roadways and rotary traffic islands*—(a) Upon a roadway designated and sign-posted for one-way traffic a vehicle shall be driven only in the direction designated.

(b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

SEC 62 *Driving on roadways laned for traffic*—Whenever any roadway has been divided into three or more clearly marked lanes for traffic the following rules in addition to all others consistent therewith shall apply:

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

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

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

SEC 63 *Following too closely*—(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

(b) The driver of any motor truck or motor truck drawing another vehicle when traveling upon a roadway outside of a business or residence district shall not follow within 150 feet of another motor truck or motor truck drawing another vehicle. The provisions of this subdivision shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

ARTICLE VIII

TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING

SEC 64 *Turning at intersections*—The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.

(b) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a 2-way street into a 1-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a 1-way street into a 2-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 cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

SEC 65 *Turning on curve or crest of grade prohibited*—No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

SEC 66 *Starting parked vehicle*—No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

SEC 67 *When signal required*—(a) No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

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

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

SEC 68 *Signals by hand and arm or signal device.*—The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the department, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then said signals must be given by such a lamp or device

SEC 69 *Method of giving hand and arm signals*—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

ALT SEC 69 *Method of giving hand and arm signals*⁶—All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- 1 Left turn—Hand and arm extended horizontally
- 2 Right turn—Hand and arm extended upward or moved with a sweeping motion from the rear to the front
- 3 Stop or decrease of speed—Hand and arm extended downward.

ARTICLE IX

RIGHT-OF-WAY

SEC 70 *Vehicles approaching or entering intersection*—(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway

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

(c) The foregoing rules are modified at through highways and otherwise as hereinafter stated in this article

SEC 71 *Vehicle turning left at intersection*—The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this act, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn

SEC 72 *Vehicle entering through highway or stop intersection*—(a) The driver of a vehicle shall stop as required by this act at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from said through highway or which are approaching so closely on said through high-

⁶ When a State desires to require distinctive signals for a left or right turn or a stop this method is recommended

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

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

SEC 73 *Vehicle entering highway from private road or driveway*—The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway

SEC 74 *Operation of vehicles and street cars on approach of authorized emergency vehicles*—(a) Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer

(b) Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer

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

ARTICLE X

PEDESTRIANS' RIGHTS AND DUTIES

SEC 75 *Pedestrians subject to traffic control signals*—Pedestrians shall be subject to traffic control signals at intersections as heretofore declared in this act, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article

SEC 76 *Pedestrians' right-of-way at crosswalks*—(a) Where traffic control signals are not in place or in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this article

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle

SEC 77 *Crossing at other than crosswalks*—(a) Every pedestrian crossing a roadway at any point other than within a marked

crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway

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

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

(d) Notwithstanding the provisions of this section every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway

SEC 78 *Pedestrians to use right half of crosswalks*—Pedestrians shall move, whenever practicable, upon the right half of crosswalks

SEC 79 *Pedestrians soliciting rides*—No person shall 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

SEC 80 *Passing street car on left*—(a) The driver of a vehicle shall not overtake and pass upon the left nor drive upon the left side of any street car proceeding in the same direction, whether such street car is actually in motion or temporarily at rest, except:

- 1 When so directed by a police officer;
- 2 When upon a one-way street; or
- 3 When upon a street where the tracks are so located as to prevent compliance with this section

(b) The driver of any vehicle when permitted to overtake and pass upon the left of a street car which has stopped for the purpose of receiving or discharging any passenger shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right-of-way when required by other sections of this act

SEC 81 *Passing street car on right*—The driver of a vehicle overtaking upon the right any street car stopped or about to stop for the purpose of receiving or discharging any passenger shall stop such vehicle at least five feet to the rear of the nearest running board or door of such street car and thereupon remain standing until all passengers have boarded such car or upon alighting have reached a place of safety, except that where a safety zone has been established a vehicle need not be brought to a stop 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

SEC 82 *Driving on street car tracks*—(a) The driver of any vehicle proceeding upon any street-car track in front of a street car upon a street shall remove such vehicle from the track as soon as practical 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

(c) The driver of a vehicle upon overtaking and passing a street car shall not turn in front of such street car so as to interfere with or impede its movement

SEC 83 *Driving through safety zone prohibited*—No vehicle shall at any time be driven through or within a safety zone

ARTICLE XII

SPECIAL STOPS REQUIRED

SEC 84 *Obedience to signal indicating approach of train*—(a) Whenever any person driving a vehicle approaches a railroad grade crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop within fifty feet but not less than ten feet from the nearest track of such railroad and shall not proceed until he can do so safely

(b) The driver of a vehicle shall stop and remain standing and not traverse such a grade crossing when a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train

SEC 85 *All vehicles must stop at certain railroad grade crossings*—The (State highway commission) is hereby authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within 50 feet but not less than 10 feet from the nearest track of such grade crossing and shall proceed only upon exercising due care

SEC 86 *Certain vehicles must stop at all railroad grade crossings*—(a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than 10 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely

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

(c) This section shall not apply at street railway grade crossings within a business or residence district

SEC 87 *Moving heavy equipment at railroad grade crossing*—(a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of 6 or less miles per hour or a vertical body or load clearance of less than 9 inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section

(b) Notice of any such intended crossing shall be given to a superintendent of such railroad and a reasonable time be given to such railroad to provide proper protection at such crossing

(c) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than 10 feet nor more than 50 feet from the nearest rail of such railway and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely

(d) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car

SEC 88 *Vehicles must stop at through highways*—(a) The (State highway commission) with reference to State (and county) highways, and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs at specified entrances thereto or may designate any intersection as a stop intersection and erect like signs at one or more entrances to such intersection

(b) Every said sign shall bear the word "Stop" in letters not less than 6 inches in height which shall be self-illuminated at night or, if not, shall be provided with reflector buttons. Every stop sign shall be located as near as practical at the property line of the highway at the entrance to which the stop must be made, or at the nearest line of the crosswalk thereat, or, if none, at the nearest line of the roadway

(c) Every driver of a vehicle and every motorman of a street car shall stop at such sign or at a clearly marked stop line before entering an intersection except when directed to proceed by a police officer or traffic control signal

SEC 89 *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 into the sidewalk area extending across any alleyway or private driveway

ARTICLE XIII

STOPPING, STANDING, AND PARKING

SEC 90 *Stopping, standing, or parking outside of business or residence districts*—(a) Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of 200 feet in each direction upon such highway

(b) 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 disabled vehicle in such position

SEC 91 *Officers authorized to remove illegally stopped vehicles* —

(a) Whenever any police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions of this article such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

(b) Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety

SEC 92 *Stopping, standing, or parking prohibited in specified places* — (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

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

(b) No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful

SEC 93 *Parking at right-hand curb* — Except where angle parking is permitted by local ordinance every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of such vehicle parallel with and within 12 inches of the right-hand curb

ARTICLE XIV

MISCELLANEOUS RULES

SEC 94 *Unattended motor vehicle*—No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

SEC 95. *Obstruction to driver's view or driving mechanism.*—(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle

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

SEC 96 *Driving on mountain highways*—The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right-hand edge of the highway as reasonably possible and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway, shall give audible warning with the horn of such motor vehicle.

SEC 97 *Coasting prohibited*—(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral

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

SEC 98 *Following fire apparatus prohibited*—The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm

SEC 99 *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 department official in command

SEC 100 *Putting glass, etc, on highway prohibited*—(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such highway

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

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle

SEC 101 *Overtaking and passing school bus*—(a) The driver of a vehicle upon a highway outside of a business or residence district upon meeting or overtaking any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall drive at a speed which is reasonable and prudent and with due caution for the safety of any such children and in no event in excess of 10 miles per hour in passing such school bus

(b) This section shall be applicable only in the event the school bus shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than 4 inches in height which can be removed or covered when the vehicle is not in use as a school bus

SEC 102 *Regulations relative to school busses*—(a) The (State board of education) by and with the advice of the motor vehicle commissioner shall adopt and enforce regulations not inconsistent with this act to govern the design and operation of all school busses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this State and such regulations shall by reference be made a part of any such contract with a school district Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to said regulations

(b) Any officer or employee of any school district who violates any of said regulations or fails to include obligation to comply with said regulations in any contract executed by them on behalf of a school district shall be guilty of misconduct and subject to removal from office or employment Any person operating a school bus under contract with a school district who fails to comply with any said regulations shall be guilty of breach of contract and such contract shall be canceled after notice and hearing by the responsible officers of such school district

ARTICLE XV

EQUIPMENT

SEC 103 *Scope and effect of regulations*—(a) It is 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 combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this article, or which is equipped in any manner in violation of this article, or for any person to do any act forbidden or fail to perform any act required under this article

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

SEC 104 *When lighted lamps are required*—(a) Every vehicle upon a highway within this State at any time 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 persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated

(b) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subdivision (a) of this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated

SEC 105 *Head lamps on motor vehicles*—(a) Every motor vehicle other than a motorcycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this article

(b) Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this article

SEC 106 *Rear lamps and reflectors*—(a) Every motor vehicle and every vehicle which is being drawn at the end of a train of vehicles shall be equipped with a lighted rear lamp, exhibiting a red light plainly visible from a distance of 500 feet to the rear

(b) Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. When the rear license plate is illuminated by an electric lamp other than the required rear lamp, said two lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted.

(c) Every new motor vehicle, trailer, or semitrailer hereafter sold and every commercial vehicle hereafter operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, a red reflector meeting the requirements of this section

(d) Whenever a red reflector is required or permitted to be used in substitution of lamps upon a vehicle under any of the provisions of this act, such reflector shall be mounted upon the vehicle at a height not to exceed 42 inches nor less than 24 inches above the ground upon which the vehicle stands, and every such reflector shall be so designed and maintained as to be visible at night from all distances within 500 feet to 50 feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted head lamps as provided in section 115 (a) hereof

SEC 107 *Clearance, identification, and side marker lamps*—Within (—) days after the effective date of this act every motor vehicle or motor-drawn vehicle designed or used for the transportation of property or for the transportation of passengers for compensation, except buses operated entirely within municipalities when their interiors are illuminated, shall display lighted lamps at the times mentioned in section 104 when and as required in this section, except that such lamps may be but are not required to be lighted when any such vehicle is upon a highway which is sufficiently illumi-

mated by street lamps to render any person or vehicle visible at a distance of 500 feet

1 Clearance lamps: Every such vehicle having a width at any part in excess of 80 inches shall be equipped with two clearance lamps located on the extreme left side of such vehicle, one located at the front and displaying a green light visible 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 from a distance of 500 feet to the rear of the vehicle, which said rear clearance lamp shall be in addition to the red rear lamp hereinbefore required

2 Identification lamps, front and rear: Every such vehicle or combination of such vehicles having a length in excess of 30 feet or a width in excess of 80 inches shall be equipped with lamps on the front displaying 3 green lights and lamps on the rear displaying 3 red lights and the lights in each such group shall be evenly spaced not less than 6 nor more than 12 inches apart along a horizontal line near the top of the vehicle and said lights shall be visible from distances of 500 feet to the front and rear, respectively, of the vehicle

3 Side marker lamps: Every such vehicle or combination of such vehicles which exceeds 20 feet in overall length shall be equipped with at least 4 side marker lamps, 1 on each side near the front and 1 on each side near the rear. Said lamps near the front shall display green lights and said lamps near the rear shall display red lights each visible from a distance of 500 feet to the side of the vehicle on which it is located. If the clearance lamps on the left side of a vehicle as hereinbefore required display lights visible from a distance of 500 feet at right angles to the left of the vehicle they shall be deemed to meet the requirements as to left marker lamps in this paragraph. In lieu of such side marker lamps any such vehicle may be equipped with 4 reflectors, 2 on each side and otherwise meeting the requirements of this act

SEC 108 *Lamp or flag on projecting load*—Whenever the load upon any vehicle extends to the rear 4 feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times specified in section 104 hereof, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than 16 inches square

SEC 109 *Lamps on parked vehicles*—Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended during the times mentioned in section 104, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of such vehicle and a red light visible from a distance of 500 feet to the rear, except that local authorities may provide by ordinance or resolution that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to reveal any person or object within a distance of 500 feet upon such highway. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

SEC 110 *Lamps on bicycles.*—Every bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear; except that a red reflector meeting the requirements of this act may be used in lieu of a rear light

SEC 111 *Lamps on other vehicles and equipment*—All vehicles, including animal-drawn vehicles and including those referred to in section 103 (b) not hereinbefore specifically required to be equipped with lamps, shall at the times specified in section 104 hereof be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear

SEC 112 *Spot lamps and auxiliary driving lamps*—(a) Any motor vehicle may be equipped with not to exceed one spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than 100 feet ahead of the vehicle

(b) Any motor vehicle may be equipped with not to exceed three auxiliary driving lamps mounted on the front at a height not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this article

SEC 113 *Signal lamps and signal devices*—(a) Any motor vehicle may be equipped, and when a signal lamp or device is required under this act shall be equipped, with a signal lamp or signal device which is so constructed and located on the vehicle as to give a signal of intention to stop which shall be red or yellow in color and signals of intention to turn to the right or left, all of which signals shall be plainly visible and understandable in normal sunlight and at night from a distance of 100 feet to the front and rear but shall not project a glaring or dazzling light; except that a stop signal need be visible only from the rear

(b) All mechanical signal devices shall be self-illuminated when in use at the times mentioned in section 104

SEC 114 *Additional lighting equipment*—(a) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare

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

(c) Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp; except that no such back-up lamp shall be continuously lighted when the motor vehicle is in forward motion

SEC 115 *Multiple-beam road lighting equipment*⁷—Except as hereinafter provided, the headlamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected

⁷ See footnote on page 28

different elevations, subject to the following requirements and limitations:

(a) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading. The maximum intensity of this uppermost distribution of light or composite beam 1 degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed 8,000 apparent candlepower, and at no other point of the distribution of light or composite beam shall there be an intensity more than 75,000 apparent candlepower.

(b) There shall be a lowermost distribution of light, or composite beam, so aimed that:

1 When the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of 10 inches below the level of the center of the lamp from which it comes

2 When the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of 5 inches below the level of the center of the lamp from which it comes

3 In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

(c) Where one intermediate beam is provided, the beam on the left side of the road shall be in conformity with (b) (1) of this section except when arranged in accordance with the practice specified in (e).

(d) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least 100 feet ahead

(e) All road lighting equipment manufactured and installed on or after January 1, 1936, shall be so arranged that whenever any beam is used which is not in conformity with paragraph (b) (1) of this section, two white or yellow lights, one on each side of the vehicle, visible to an oncoming driver and to the driver of said vehicle shall be lighted, except that other suitable alternate means may be provided for indicating to the driver behind the light when such beams are on. Indicator lights shall not be connected otherwise than as required in this paragraph. Beam indicator lights and front parking lights shall be so connected that neither of said lights shall be lit when a beam is in use which conforms with paragraph (b) (1) of this section

SEC 116 *Use of multiple-beam road lighting equipment*—(a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in section 104, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations

(b) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead.

SEC 117 *Single-beam road lighting equipment*⁷—Headlamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to one year after the effective date of this act in lieu of multiple-beam road lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

1 The headlamps shall be so aimed that when the vehicle is not loaded none of the high intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of 5 inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

2 The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

SEC 118 *Alternate road lighting equipment*⁷—Any motor vehicle may be operated under the conditions specified in section 104 when equipped with two lighted lamps upon the front thereof capable of revealing persons and objects 75 feet ahead in lieu of lamps required in section 115 or section 117 provided, however, that at no time shall it be operated at a speed in excess of 20 miles per hour.

SEC 119 *Number of driving lamps required or permitted*—(a) At all times specified in section 104, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

SEC 120 *Special restrictions on lamps*—(a) Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, or auxiliary driving lamps which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

⁷ It is recommended that the motor vehicle commissioner in each State adopt current standard specifications for headlamps, auxiliary driving lamps, rear lamps, signal lamps and reflectors as promulgated by the recognized engineering societies. In view of the fact that the headlighting art is a developing one, these specifications are necessarily of a temporary character, and are subject to revision from time to time. It follows, therefore, that while they are applicable to use in connection with regulation by State authorities having administrative powers, they are not suitable for inclusion in State laws where the requisite flexibility of revision is absent.

(b) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light visible from directly in front thereof. This section shall not apply to authorized emergency vehicles.

(c) Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or left turn.

SEC 121 *Selling or using lamps or devices*—(a) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer or use upon any such vehicle any head lamp, auxiliary driving lamp, rear lamp, signal lamp or reflector which reflector is required hereunder, or parts of any of the foregoing, which tend to change the original design or performance, unless of a type which has been submitted to the commissioner and approved by him.

(b) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer any lamp or device mentioned in this section which has been approved by the commissioner unless such lamp or device bears thereon the trade-mark or name under which it is approved so as to be legible when installed.

(c) No person shall use upon any motor vehicle, trailer or semitrailer any lamps mentioned in this section unless said lamps are equipped with bulbs of a rated candlepower and are mounted and adjusted as to focus and aim in accordance with instructions of the commissioner.

SEC 122 *Authority of commissioner with reference to lighting devices*—1 The commissioner is hereby authorized to approve or disapprove lighting devices.

2 The commissioner is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this act, within a reasonable time after such device has been submitted.

3 The commissioner is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

4 The commissioner upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by him.

5 The commissioner shall publish lists of all lamps and devices by name and type which have been approved by him, together with instructions as to the permissible candlepower rating of the bulbs which he has determined for use therein and such other instructions as to adjustment as the commissioner may deem necessary.⁸

SEC 123 *Revocation of certificate of approval on lighting devices*—When the commissioner has reason to believe that an approved device as being sold commercially does not comply with the requirements of this act, he may, after giving 30 days' previous notice to the person holding the certificate of approval for such device in this State, conduct a hearing upon the question of compliance of said approved device. After said hearing the commissioner shall determine whether said approved device meets the

⁸It is recommended in the interest of national uniformity that the procedure with respect to submission of devices for approval shall, so far as possible, conform with the procedure followed in other States.

requirements of this act. If said device does not meet the requirements of this act he shall give notice to the person holding the certificate of approval for such device in this State

If at the expiration of 90 days after such notice the person holding the certificate of approval for such device has failed to satisfy the commissioner that said approved device as thereafter to be sold meets the requirements of this act, the commissioner shall 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, and may require that all said devices sold since the notification following the hearing be replaced with devices that do comply with 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.

SEC 124 *Brakes* — (a) Brake equipment required

1 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 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.

2 Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot

3 Every trailer or semitrailer of a gross weight of 3,000 pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes shall be automatically applied

4 Every new motor vehicle, trailer, or semitrailer hereafter sold in this State and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle, and except that any semitrailer of less than 1,500 pounds gross weight need not be equipped with brakes

(b) Performance ability of brakes

1 The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle or vehicles when traveling 20 miles per hour within a distance of 30 feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed 1 percent

2 Under the above conditions the hand brake shall be adequate to stop such vehicle or vehicles within a distance of 55 feet and said hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated

3 Under the above conditions the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of 40 feet and the hand brake adequate to stop the vehicle within a distance of 55 feet

4 All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this act

5 All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle

SEC 125 *Horns and warning devices*—(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this subdivision. It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the department, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof

(c) No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle

SEC 126 *Mufflers, prevention of noise*—Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a highway

SEC 127 *Mirrors*—Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle

SEC 128 *Windshields must be unobstructed and equipped with wipers*—(a) No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, sidewings, side or rear windows of such vehicle other than a certificate or other paper required to be so displayed by law

(b) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the wind-

shield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle

SEC 129 *Restrictions as to tire equipment* — (a) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least 1 inch thick above the edge of the flange of the entire periphery

(b) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with the roadway.

(c) 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 skid

(d) The (State highway commission) 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, the operation of which upon a highway would otherwise be prohibited under this act.

SEC 130 *Safety glass in motor vehicles* — (a) On and after (date) (6 months suggested) no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter which is designed or used for the purpose of transporting passengers for compensation or as a school bus unless such vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields

(b) On and after (date) (1 year suggested) no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter unless such vehicle is equipped with safety glass wherever glass is used in the windshield

(c) The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken or such other or similar product as may be approved by the commissioner

(d) The commissioner shall compile and publish a list of types of glass by name approved by him as meeting the requirements of this section and the commissioner shall not register any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glass, and he shall suspend the registration of any motor vehicle so subject to this section which he finds is not so equipped until it is made to conform to the requirements of this section

SEC 131 *Trucks to carry flares or similar devices* — (a) No person shall operate any motor truck upon a highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise unless there shall be carried in

such vehicle a sufficient number of flares, not less than three, or electric lanterns or other signals capable of continuously producing three warning lights each visible from a distance of at least 500 feet for a period of at least 8 hours, except that a motor vehicle transporting flammables may carry red reflectors in place of the other signals above mentioned.

Every such flare, lantern, signal, or reflector shall be of a type approved by the commissioner and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

(b) Whenever any motor truck and its lighting equipment are disabled during the period when lighted lamps must be displayed on vehicles and such motor truck cannot immediately be removed from the main travelled portion of a highway outside of a business or residence district, the driver or other person in charge of such vehicle shall cause such flares, lanterns, or other signals to be lighted and placed upon the highway, one at a distance of approximately 100 feet in advance of such vehicle, one at a distance of approximately 100 feet to the rear of the vehicle and the third upon the roadway side of the vehicle, except that if the vehicle is transporting flammables three red reflectors may be so placed in lieu of such other signals and no open burning flare shall be placed adjacent to any such last mentioned vehicle

(c) No person shall at any time operate a motor truck transporting explosives as a cargo or part of a cargo upon a highway unless it carries flares or electric lanterns as herein required, but such flares or electric lanterns must be capable of producing a red light and shall be displayed upon the roadway when and as required in this section

SEC 132 *Vehicles transporting explosives.*—Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section

(a) Said vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than 8 inches high, or there shall be displayed on the rear of such vehicle a red flag not less than 24 inches square marked with the word "Danger" in white letters 6 inches high

(b) Every said vehicle shall be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle so used

(c) The commissioner is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public⁹

SEC 133 *Appointment of official inspection stations.*—(a) The commissioner shall issue permits for and furnish instructions and all necessary forms to official inspection stations for the inspection and adjustment of brakes, lighting equipment, steering mechanism, horns, mirrors, windshield wipers, and other equipment of motor vehicles, trailers, and semitrailers

⁹ Provision (c) is recommended for adoption in those States where permissible

(b) Application for permit shall be made upon an official form and shall be granted only when the commissioner is satisfied that the station is properly equipped and has competent personnel to make such inspections and adjustments and will be properly conducted. The commissioner before issuing a permit may require the applicant to file a bond conditioned that it will make compensation for any damage to a vehicle during an inspection or adjustment due to negligence on the part of such applicant or its employees.

(c) The commissioner shall properly supervise and cause inspections to be made of such stations and shall revoke and require the surrender of the permit issued to a station which he finds is not properly equipped or conducted. The commissioner shall maintain and post at the office of the department lists of all stations holding permits and of those whose permits have been revoked.

SEC 134 *Commissioner to require periodical inspection* — (a) The commissioner shall at least once each year, but not more frequently than twice each year, by public announcement designate a period of not to exceed 3 months during which all resident owners of motor vehicles, trailers, and semitrailers must submit such vehicles to inspection and obtain for each such vehicle a certificate of inspection and approval duly issued by an official station. Thereafter, for a period of 3 months every resident owner of any said vehicle must display a certificate of inspection and approval duly issued for such vehicle either upon the lower right-hand corner of the windshield thereof when required by the commissioner or upon such vehicle in such position as to be visible from the outside.

(b) The commissioner may authorize the acceptance in this State of a certificate of inspection and approval issued in another State having an inspection law similar to this act and may extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was not in this State during the time an inspection was required.

(c) The commissioner may suspend the registration of any vehicle which he determines is in such unsafe condition as to constitute a menace to safety or which after notice and demand is not equipped as required in this act or for which a required certificate has not been obtained.

SEC 135 *Operation of official inspection stations* — (a) No permit for an official station shall be assigned or transferred or used at any location other than therein designated and every said permit shall be posted in a conspicuous place at the location designated.

(b) The person operating an official inspection station shall issue a certificate of inspection and approval upon an official form to the owner of a vehicle upon inspecting such vehicle and determining that its equipment required hereunder is in good condition and proper adjustment, otherwise no certificate shall be issued. When required by the commissioner record and report shall be made of every inspection and every certificate so issued.

(c) A certificate of inspection and approval may be issued free of charge or a fee of not more than 50 cents may be charged for an inspection and issuance of such certificate.

SEC 136 *Improper representation as official station* — (a) No person shall in any manner represent any place as an official inspection

station unless such station is then operating under a valid permit. Nor shall any person issue a certificate of inspection and approval unless then holding a valid permit hereunder.

(b) No person shall make, issue, or knowingly use any imitation or counterfeit of an official certificate of inspection.

SEC 137 *Owners and drivers to comply with inspection laws*—

(a) In the event repair or adjustment of the equipment of any vehicle is found necessary upon inspection, the owner of said vehicle may obtain such repair or adjustment at any place he may choose, but in every event a certificate of inspection and approval must be obtained from an official inspection station whenever required under the provisions of this act; otherwise any such vehicle shall not be operated upon the highways of this State.

(b) No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

SEC 138 *Enforcement by police officers*—(a) The commissioner and such officers and employees of the department and such other police officers as the commissioner may authorize in writing may, upon reasonable cause, require the driver of a vehicle to stop and submit such vehicle and its equipment to an inspection and such test with reference thereto as may be appropriate. In the event such vehicle is found to be in an unsafe condition or the required equipment is not present or is not in proper repair and adjustment the officer shall give a written notice to the driver and shall send a copy thereof to the department. Said notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment and a certificate of inspection and approval for such vehicle be obtained within 5 days.

Every owner or driver upon receiving any such notice shall comply therewith and shall within said 5 days secure an endorsement upon such notice by an official inspection station that such vehicle is in safe condition and its equipment in proper repair and adjustment and shall then forward said notice to the department.

(b) No person shall operate any vehicle after receiving a notice with reference thereto as above provided except as may be necessary to return such vehicle to the residence or the place of business of the owner or driver if within a distance of 20 miles, or to a garage, until said vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this act.

ARTICLE XVI

SIZE, WEIGHT, AND LOAD

SEC 139. *Scope and effect of article*—(a) It is 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 article or otherwise in violation of this article, 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 article

(b) The provisions of this article governing size, weight, and load shall not apply to fire apparatus, road machinery, or to implements of husbandry temporarily moved upon a highway, or to a vehicle operated under the terms of a special permit issued as herein provided

SEC 140 *Width of vehicles*—(a) The total outside width of any vehicle or the load thereon shall not exceed 8 feet except as otherwise provided in this section

(b) The total outside width of a farm tractor shall not exceed 10 feet

(c) Whenever pneumatic tires, in substitution of the same type or other type of tires, have been heretofore or are hereafter placed upon a vehicle in operation upon the effective date of this act, the maximum width from the outside of one wheel and tire to the outside of the opposite wheel and tire shall not exceed 8 feet 6 inches, but in such event the outside width of the body of such vehicle or the load thereon shall not exceed 8 feet

SEC 141 *Projecting loads on passenger vehicles*—No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than 6 inches beyond the line of the fenders on the right side thereof

SEC 142 *Height and length of vehicles*—(a) No vehicle unladen or with load shall exceed a height of 12 feet 6 inches

(b) No vehicle shall exceed a length of 35 feet extreme over-all dimension, inclusive of front and rear bumpers. A truck tractor and semitrailer shall be regarded as one vehicle for the purpose of determining lawful length

(c) No combination of vehicles coupled together shall consist of more than two units and no such combination of vehicles shall exceed a total length of 45 feet subject to the following exceptions: Said length limitation shall not apply to vehicles operated in the day time when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, nor to such vehicles transporting such objects operated at night time by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in section 148, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load

(d) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than 3 feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such a bumper

SEC 143 *Spilling loads on highways prohibited*—No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or

other substance may be sprinkled on a roadway in cleaning or maintaining such roadway

SEC 144 *Trailers and towed vehicles*—(a) When one vehicle is towing another the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby and said drawbar or other connection shall not exceed 15 feet from one vehicle to the other except the connection between any two vehicles transporting poles, pipe machinery or other objects of structural nature which cannot readily be dismembered

(b) When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than 12 inches square

SEC 145 *Wheel and axle loads*¹⁰—(a) The gross weight upon any wheel of a vehicle shall not exceed the following:

1 When the wheel is equipped with a high pressure pneumatic, solid rubber or cushion tire, 8,000 pounds

2 When the wheel is equipped with a low pressure pneumatic tire, 9,000 pounds

(b) The gross weight upon any one axle of a vehicle shall not exceed the following:

1 When the wheels attached to said axle are equipped with high-pressure pneumatic, solid rubber or cushion tires, 16,000 pounds

2 When the wheels attached to said axle are equipped with low-pressure pneumatic tires, 18,000 pounds

(c) For the purposes of this section an axle load shall be defined as the total load on all wheels whose centers are included within two parallel transverse vertical planes not more than 40 inches apart

(d) For the purposes of this section every pneumatic tire designed for use and used when inflated with air to less than 100 pounds pressure shall be deemed a low-pressure pneumatic tire and every pneumatic tire inflated to 100 pounds pressure or more shall be deemed a high-pressure pneumatic tire

SEC 146 *Gross weight of vehicles and loads*¹¹—(a) No vehicle or combination of vehicles shall be moved or operated on any highway or bridge when the gross weight thereof exceeds the limits specified below:

1 The gross weight upon any one axle of a vehicle shall not exceed the limits prescribed in section 145 of this act

2 Subject to the limitations prescribed in section 145 of this act the gross weight of any vehicle having two axles shall not exceed ----- pounds

3 Subject to the limitations prescribed in section 145 of this act the gross weight of any single vehicle having three or more axles shall not exceed ----- pounds

¹⁰ The American Association of State Highway Officials recommends the limitations stated for vehicles operated on all main rural and inter city roads but suggests that heavier axle loads might be permitted upon vehicles operating in metropolitan areas if any city so desires. Also, the American Association of State Highway Officials recommends that the State highway department be authorized to restrict wheel and axle weights for reasonable periods where road subgrades are materially weakened by thawing after deep frost or from a continued saturated condition of the soil.

¹¹ In view of the varying conditions of traffic, and lack of uniformity in highway construction in the several States, no uniform gross weight limitations are here recommended for general adoption throughout the country. For the protection of bridges the American Association of State Highway Officials recommends the following formula: $W = 700(L + 40)$ where W = the gross weight in pounds and L equals the length in feet between

4 Subject to the limitations prescribed in section 145 of this act the gross weight of any combination of vehicles shall not exceed ----- pounds

(b) The commissioner, upon registering any vehicle under the laws of this State which vehicle is designed and used primarily for the transportation of property or for the transportation of 10 or more persons, may require such information and may make such investigation or test as necessary to enable him to determine whether such vehicle may safely be operated upon the highways in compliance with all the provisions of this act. He shall register every such vehicle for a permissible gross weight not exceeding the limitations set forth in this act. Every such vehicle shall meet the following requirements:

1 It shall be equipped with brakes as required in section 124 of this act

2 Every motor vehicle to be operated outside of business and residence districts shall have motive power adequate to propel at a reasonable speed such vehicle and any load thereon or to be drawn thereby¹²

(c) The commissioner shall insert in the registration card issued for every such vehicle the gross weight for which it is registered, and if it is a motor vehicle to be used for propelling other vehicles he shall separately insert the total permissible gross weight of such motor vehicle and other vehicles to be propelled by it. He may also issue a special plate with such gross weight or weights stated thereon, which shall be attached to the vehicle and displayed thereon at all times. It shall be unlawful for any person to operate any vehicle or combination of vehicles of a gross weight in excess of that for which registered by the commissioner or in excess of the limitations set forth in this act.

SEC 147 *Officers may weigh vehicles and require removal of excess loads*—(a) Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within two miles

(b) Whenever an officer upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this act. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator

(c) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when

¹² A suggested method of determining whether the motive power is adequate to propel the vehicle and load at a reasonable speed is to require that the vehicle be powered so that it can ascend a grade of — percent at a speed of not less than 20 miles per hour. A speed of 20 miles per hour for commercial vehicles is considered reasonable on an ascending grade. The percentage gradient to be inserted should be representative of conditions within each particular State. In a State of flat terrain a 3-percent grade should be adequate. In hilly and mountainous territory the grade should be 5 or 6 percent

directed by an officer upon a weighing of the vehicle to stop the vehicle and other wise comply with the provisions of this section, shall be guilty of a misdemeanor

SEC 148 *Permits for excess size and weight*—(a) The (State highway commission) with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction 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 or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this act or otherwise not in conformity with the provisions of this act upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which said party is responsible

(b) The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways for which permit to operate is requested, and whether such permit is requested for a single trip or for continuous operation

(c) The (State highway commission) or local authority is authorized to issue or withhold such permit at its discretion; or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure

(d) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit

SEC 149 *When the State highway commission or local authorities may restrict right to use highways*.—(a) Local authorities with respect to highways under their jurisdiction may by ordinance or resolution prohibit the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, for a total period of not to exceed 90 days in any one calendar year, 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

(b) The local authority 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 unless and until such signs are erected and maintained

(c) Local authorities with respect to highways under their jurisdiction may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to

the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways

(d) The (State highway commission) shall likewise have authority as hereinabove granted to local authorities to determine by resolution and to impose restrictions as to the weight of vehicles operated upon any highway under the jurisdiction of said (commission) and such restrictions shall be effective when signs giving notice thereof are erected upon the highway or portion of any highway affected by such resolution

SEC 150 *Liability for damage to highway or structure*—(a) Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which said highway or structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving, or moving any vehicle, object, or contrivance weighing in excess of the maximum weight in this act but authorized by a special permit issued as provided in this article

(b) Whenever such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of said owner, then said owner and driver shall be jointly and severally liable for any such damage

(c) Such damage may be recovered in a civil action brought by the authorities in control of such highway or highway structure

ARTICLE XVII

PENALTIES AND DISPOSITION OF FINES AND FORFEITURES

SEC 151 *Penalties for misdemeanor*—(a) It is 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 first conviction thereof be punished by a fine of not more than \$100 or by imprisonment for not more than 10 days; for a second such conviction within 1 year thereafter such person shall be punished by a fine of not more than \$200 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within 1 year after the first conviction such person shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months or by both such fine and imprisonment

SEC 152 *Disposition of fines and forfeitures*—(a) 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 highway structures or for the installation and maintenance of traffic control devices thereon within such respective jurisdictions

(b) Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture either before or after a deposit in said "highway-improvement fund" to comply with the foregoing provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

ARTICLE XVIII

PARTIES, PROCEDURE UPON ARREST, AND REPORTS IN CRIMINAL CASES

SEC 153 *Parties to a crime*—Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be a crime, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this act is likewise guilty of such offense

SEC 154 *Offenses by persons owning or controlling vehicles*—It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a highway in any manner contrary to law

SEC 155 *When person arrested must be taken immediately before a magistrate*—Whenever any person is arrested for any violation of this act punishable as a misdemeanor, the arrested person shall be immediately taken before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, in any of the following cases:

1 When a person arrested demands an immediate appearance before a magistrate;

2 When the person is arrested and charged with an offense under this act causing or contributing to an accident resulting in injury or death to any person;

3 When the person is arrested upon a charge of negligent homicide;

4 When the person is arrested upon a charge of driving while under the influence of intoxicating liquor or narcotic drugs;

5 When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property

6 In any other event when the person arrested refuses to give his written promise to appear in court as hereinafter provided

SEC 156 *When person arrested to be given 5 days' notice to appear in court*—(a) Whenever a person is arrested for any violation of this act punishable as a misdemeanor, and such person is not immediately taken before a magistrate as hereinbefore required, the arresting officer shall prepare in duplicate written notice to appear

in court containing the name and address of such person, the license number of his vehicle, if any, the offense charged, and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least 5 days after such arrest unless the person arrested shall demand an earlier hearing

(c) The place specified in said notice to appear must be before a magistrate within the township or county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense

(d) The arrested person in order to secure release, as provided in this section, must give his written promise so to appear in court by signing in duplicate the written notice prepared by the arresting officer. The original of said notice shall be retained by said officers and the copy thereof delivered to the person arrested. Thereupon, said officer shall forthwith release the person arrested from custody.

(e) Any officer violating any of the provisions of this section shall be guilty of misconduct in office and shall be subject to removal from office

SEC 157. *Violation of promise to appear*—(a) Any person willfully violating his written promise to appear in court, given as provided in this article, is guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested

(b) A written promise to appear in court may be complied with by an appearance by counsel

SEC 158 *Procedure prescribed herein not exclusive*—The foregoing provisions of this article shall govern all police officers in making arrests without a warrant for violations of this act for offenses committed in their presence, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for an offense of like grade¹³

SEC 159 *Record of conviction inadmissible in a civil action*—No record of the conviction of any person for any violation of this act shall be admissible as evidence in any court in any civil action

SEC 160 *Conviction for traffic violation not to affect credibility of witness*—The conviction of a person upon a charge of violating any provision of this act or other traffic regulation less than a felony shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding

SEC. 161 *Convictions to be reported to department*—(a) Every magistrate or judge of a court not of record and every clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of this act or of any other law regulating the operation of vehicles on highways

(b) Within 10 days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this act or other law regulating the operation of vehicles on highways every said magistrate of the court or clerk of the court of record in which such conviction was had or bail was forfeited shall prepare and

¹³ This provision is intended to make clear that complaints may be filed and warrants issued thereon as usually provided by criminal statutes

immediately forward to the department an abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct

(c) Said abstract must be made upon a form furnished by the department and shall include the name and address of the party charged, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited and the amount of the fine or forfeiture as the case may be

(d) Every court of record shall also forward a like report to the department upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used

(e) The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom

(f) The department shall keep all abstracts received hereunder at its main office and the same shall be open to public inspection during reasonable business hours

ARTICLE XIX

EFFECT OF AND SHORT TITLE OF ACT

SEC 162 *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

SEC 163 *Short title*—This act may be cited as the Uniform Act Regulating Traffic on Highways

SEC 164 *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

SEC 165 *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

SEC 166 *Time of taking effect*—This act shall take effect from and after the ----- day of -----

Table showing source of present provisions of act V of the Uniform Vehicle Code

[This act V regulating traffic on highways is a redraft of act IV published in 1930. The provisions of said act have been revised and amplified as indicated in the following table]

Section and subdivision of act V as revised	Source in act IV, section and subdivision ¹	Explanation
2a	1a	Identical
b	1b	Revised
c	1c	Do
d	1d	Identical.
e	New	
3a	1f	Do
b	1g	Do
c	1h	Do.
4a	1i	Reworded
b	1j	Do
5a	1k	Do.
b	1l	Revised
c	1m	Reworded
6a	New	
b	do	
c	1c	Do
7	New	
8a	1dd	Do
b	1cc	Do
9a	1n	Identical
b	Model ordinance	
c	New	
d	1o	Do
10	New	
11	1ee	Do.
12a	1p	Reworded
b	1q	Revised.
c	1r	Reworded
d	1s	Revised
e	New	
f	do	
13	1u	Do
14	1f	Do
15	1v	Identical
16a	1z	Reworded
b	1y	Do
17a	1aa	Do
b	1bb	Do
c	New	
18	1z	
19	1w	Identical
20	New	
21	2 a	Reworded
22	3	Do
23 a	4	
b	New	
c	do	
d	4	
24	5	Do
25	6	
26	7	Reworded and amplified
27	8	Identical
28	9 a	Revised
29	9	Do
30	10	Do.
31	11	Reworded
32	12	Revised and amplified
33	New	
34	13	Revised
35	14	Do
36	15 a	Do
37	15 b	Do
38	15 c	Do
39	New	
40	do	
41	16	
42	New	
43	I, 7	
44	IV, 16	
45	do	
46	I, 7	Do
47	IV, 16	Do
48	New	

¹ Where the source is an act other than act IV, roman numerals indicate the act

Table showing source of present provisions of act V of the Uniform Vehicle Code—Continued

[This act V regulating traffic on highways is a redraft of act IV published in 1930 The provisions of said act have been revised and amplified as indicated in the following table]—Continued

Section and subdivision of act V as revised	Source in act IV, section and subdivision	Explanation
49	18	
50	10 a	Reworded
51	20	Revised
52 a	New	
b	21	Reworded
53	22	Revised
54	24	Reworded
55	25	Do
56	26 omitting b	
57	28	Revised
58	29 a, b	
59	29 c	Do
60	26 c, 30	Revised and amplified
61	New	
62	27	Revised
63	31b	Amplified
64	32	Reworded
65	34	Do
66	33a	
67	do	Revised
68	33b first sentence	
69	33b last sentence	
Alt 69	New	
70	35a	Reworded
71	35c	Do
72a	35b	
b	New	
73	36a	
74	36b, 37	Do
75	39	Revised
76	38a, b	
77	38a, b, 39b	
78	40	
79	41	
80a	42a	Reworded and amplified
b	New	
81	42b	Revised
82a	43a	Reworded
b	do	
c	New	
83	44	
84a	45	Do
b	New	
85	46	Amplified
86	47	Reworded
87	47b	Do
88	48	Revised
89	49	
90	50a, c	
91a	50b	
b	New	
92	51	Revised and amplified
93	New	
94	52	Amplified
95a	53	Revised
b	53	Identical
96	56	Reworded
97a	57	
b	New	
98	54	
99	55	
100	New	
101	do	
102	do	
103	do	
104	58a	Revised
105	58b, c	Do
106	58d	Revised and amplified
107	58u	Do
108	74	Revised
109	58h	Amplified
110	58f	Revised
111	59g	
112	59a, b	Do

Table showing source of present provisions of act V of the Uniform Vehicle Code—Continued

[This act V regulating traffic on highways is a redraft of act IV published in 1930. The provisions of said act have been revised and amplified as indicated in the following table]—Continued

Section and subdivision of act V as revised	Source in act IV, section and subdivision	Explanation
113	59c	Revised
114	New	
115, 118	60, 61	Do
119a	60, last part	
b	New	
120a	59d	Do
b	69	Do
c	New	
121	62	Do
122	63	Do
123	66	Do
124	70	Revised and amplified
125	71	Revised
126	75	Revised
127	72	Reworded
128	73	Do
129	84	Do
130	New	
131	do	
132	do	
133	68	Revised and amplified
134	New	
135	do	
136	do	
137	do	
138	67	Do
139a	77	
b	New	
140a	78a	
b	do	Revised
c	New	
141	78e	
142	78	Do
143	85	Do
144	79	Do
145	80	Do
146	do	Revised and amplified
147a	81	
b	do	
c	New	Revised
148	82	Reworded
149a, b, c	83	Do
d	New	
150	do	
151	86	
152	89	Revised
153	New	
154	2b	Reworded
155	87b	Amplified
156	87a, c	
157a	87a	
b	New	
158	do	
159	do	
160	do	
161	88	Reworded
162 to 166	New	

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

(c) *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.

SEC. 4. (a) *Trailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(b) *Semitrailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

SEC. 5. (a) *Pneumatic tire*.—Every tire in which compressed air is designed to support the load.

(b) *Solid tire*.—Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(c) *Metal tire*.—Every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

SEC. 6. (a) *Railroad*.—A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

(b) *Railroad train*.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

(c) *Street car*.—A car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

SEC. 7. (a) *Explosives*.—Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

(b) *Flammable liquid*.—Any liquid which has a flash point of 70° F., or less, as determined by a tabliabue or equivalent closed cup test device.

SUBDIVISION II.—GOVERNMENTAL AGENCIES, PERSONS, OWNERS, ETC., DEFINED

SEC. 8. (a) *Commissioner*.—The commissioner of motor vehicles of this State.

(b) *Department*.—The department of motor vehicles of this State acting directly or through its duly authorized officers and agents.

SEC. 9. (a) *Person*.—Every natural person, firm, copartnership, association, or corporation.

(b) *Pedestrian*.—Any person afoot.