

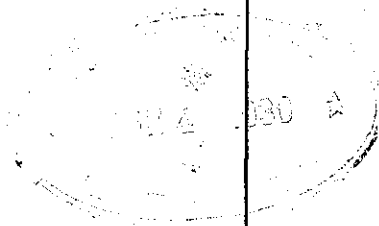
# National Conference on Street and Highway Safety

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

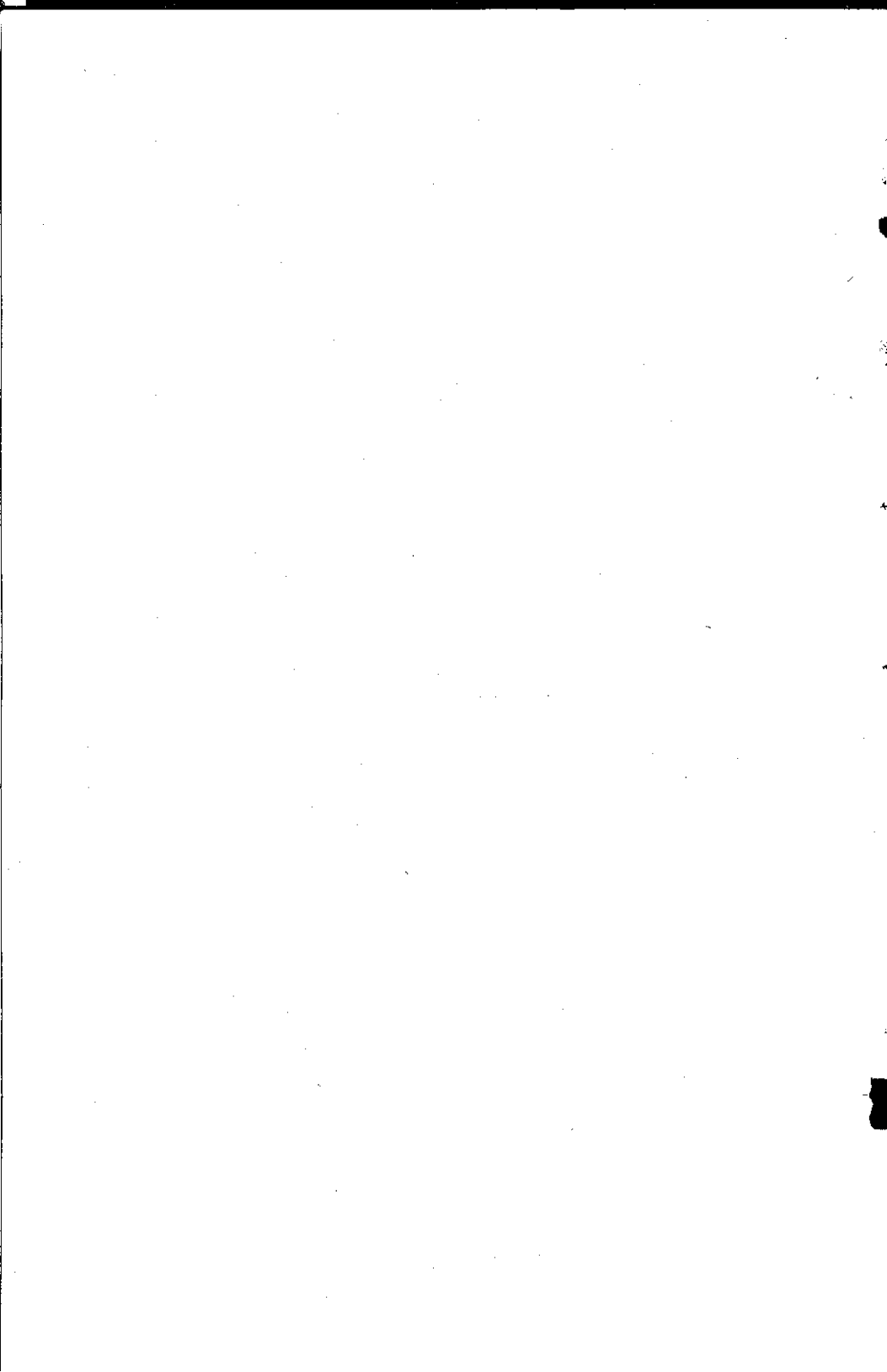


## MODEL MUNICIPAL TRAFFIC ORDINANCE

As prepared for the National Conference on Street and Highway Safety in 1928,  
with modifications recommended by the Committee on Uniform Traffic  
Regulation after review of experience since its completion



WASHINGTON, D. C.  
April 22, 1930



## Foreword

The Model Municipal Ordinance is designed to supplement for municipal use the Uniform Vehicle Code of recommended state legislation. The Ordinance was first prepared in 1927-28 for the National Conference on Street and Highway Safety by a representative Committee. It was based on an analysis of the existing traffic ordinances of one hundred American cities and towns and of model ordinances then available in several states, while care was taken at the same time to make it in complete harmony with the Uniform Vehicle Code.

Since the completion of the Ordinance in 1928, a substantial number of cities and towns have adopted it, and two states, New Jersey and Wisconsin, have incorporated most of the Ordinance in their state laws, thus providing by state enactment for uniformity in municipal traffic regulations.

There has thus been developed considerable experience in the actual operation of the Ordinance. During 1929 and 1930 the Committee on Uniform Traffic Regulation has reviewed the Ordinance in the light of this experience and recommends certain changes to meet present conditions more fully, and to conform to the revisions recommended in the Uniform Vehicle Code.

One of the principal changes proposed is incorporation in the Code of many provisions formerly carried only in the Ordinance. However, to assist municipalities desiring complete ordinances in states which have not yet adopted the Code, or in which it is necessary for purposes of local enforcement to repeat basic state law provisions, most of these provisions have been retained in the Model Ordinance.

Thus the Ordinance as now revised contains both model provisions covering purely local traffic regulations and, in addition, certain provisions of the Uniform Vehicle Code (Act IV, the Uniform Act Regulating Traffic on Highways). These Code provisions are in two classes, those pertaining to city conditions

which are embodied in the text of the Ordinance and those of universal application which are given in the appendix to the Ordinance.

The amended Ordinance with explanatory notes is here presented.

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

Washington, D. C.,  
May 7, 1930.

# MODEL MUNICIPAL TRAFFIC ORDINANCE

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# Model Municipal Traffic Ordinance

AN ORDINANCE regulating traffic upon the public streets of the (City) of (.....) and repealing Ordinance (No. ....) and all other ordinances and sections of ordinances in conflict herewith.

It is ordained by (.....) as follows:

## ARTICLE I DEFINITIONS

### Section 1.

Wherever in this Ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section.

*Street or Highway.* Every way set apart for public travel, except foot paths.

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

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

*Sidewalk.* That portion of a street between the curb lines and the adjacent property lines.

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

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

*Safety Zone.* The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is pro-

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

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

*Motor Vehicle.* Every vehicle, as herein defined, which is self propelled.

*Street Car.* Every device traveling exclusively upon rails when upon or crossing a street, other than cars of trains propelled or moved by steam.

*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 (Chief of Police).

*Pedestrian.* Any person afoot.

*Operator.* Any person who is in actual physical control of a vehicle.

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

*Right of Way.* The privilege of the immediate use of the street or highway.

*Parking.* The standing of a vehicle, whether occupied or not, upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals.

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

*Official Traffic Signals.* All signals, not inconsistent with this Ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing, warning or regulating traffic.

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

*Police Officer.* Every officer of the Municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

NOTES TO ARTICLE I—DEFINITIONS. The term *street or highway* is defined in as few words as possible and to embrace every street area in its entirety, including sidewalks. Requirements of law in some states may necessitate a further elaboration with specific reference to particular types of public ways, such as bridges, viaducts, vehicular tunnels, boulevards, avenues and other descriptive terms. However, in most states such enumeration is unnecessary, as all the various types of roads are held to be covered by the phrase "Every way set apart for public travel."

## ARTICLE II

### AUTHORITY OF POLICE

#### **Section 2. Police to Direct Traffic.**

It shall be the duty of the Police Department of this city to enforce the provisions of this Ordinance. Officers of the Police Department are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this Ordinance, provided that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic, as conditions may require, notwithstanding the provisions of this Ordinance.

#### **Section 3. (Board of Police Commissioners or Traffic Authority) Authorized to Adopt Emergency Regulations.**

The (Board of Police Commissioners or traffic authority) is hereby empowered to make and enforce regulations necessary to make effective the provisions of this Ordinance and to make and enforce temporary regulations to cover emergencies or special conditions.

NOTE TO SECTION 3. In this and subsequent sections the term (traffic authority) is used merely as indicating that a city upon adopting the Ordinance should insert the designation of the appropriate city officer, board or department such as the chief of police, traffic engineer, superintendent of streets, etc., whose duty it shall be to carry out the provisions of the particular section. Also, in view of the fact that certain states apply a more strict rule than others with reference to the delegation of powers to administrative officers or boards, it may be necessary in certain instances to insert in place of (traffic authority) the correct designation of the legislative body of the city.

#### **Section 4. Obedience to Police.**

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

#### **Section 5. Public Employees to Obey Traffic Regulations.**

The provisions of this Ordinance shall apply to the operator of any vehicle owned by or used in the service of the U. S. Government, this State, County or (City) and it shall be unlawful for any said operator to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance.

#### **Section 6. Exemptions to Authorized Emergency Vehicles.**

The provisions of this Ordinance regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles as defined in this Ordinance while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

#### **Section 7. Persons Propelling Push Carts or Riding Bicycles or Animals to Obey Traffic Regulations.**

Every person propelling any push cart or riding a bicycle or an animal upon a roadway, and every person driving any animal, shall be subject to the provisions of this Ordinance applicable to the operator of any vehicle, except those provisions of this Ordinance with reference to the equipment of vehicles and except

those provisions which by their very nature can have no application.

### ARTICLE III TRAFFIC SIGNS AND SIGNALS

#### **Section 8. Traffic Signs and Signals.**

(a) The (municipal legislative body) shall by resolution determine and designate the character or type of all official traffic signs and signals.

Subject to this selection, the (traffic authority) is hereby authorized, and as to those signs and signals required hereunder, it shall be (his) duty, to place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the (City).

(b) No provision of this Ordinance for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being erected to give notice thereof.

#### **Section 9. Obedience to Traffic Signs and Signals.**

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

#### **Section 10. Traffic Control Signal Legend.**

(a) Whenever traffic at an intersection is controlled by traffic control signals exhibiting colored lights or the words "Go," "Caution" and "Stop," said lights and terms shall indicate as follows, except as provided in Section 16:

Green or "Go"—Traffic facing the signal may proceed, except

that vehicular traffic shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

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

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

(b) The operator of a vehicle or street car intending to turn to the left at an intersection where traffic is controlled by traffic control signals or by a police officer shall proceed to make such left turn with proper care to avoid accident and only upon the "Go" signal, unless otherwise directed by a police officer.

NOTE TO SECTION 10 (b). Where there are exceptions to turning on the green or "Go" signal which controls the straight or through movement, the last line of this subsection should be supplemented by the words "or by official traffic signs, or special signals effective both day and night."

NOTE TO SECTION 10. It is recommended that a municipality installing traffic control signals adopt the three-color system as set forth in Section 10 above. It is also recommended that the color yellow or word "Caution" (or "Wait") be not used after a red or "Stop" signal is shown and before the green or "Go" signal appears. It is believed that the latter use of the yellow tends to result in traffic facing such signal starting to go before the green signal appears, thus causing interference with cross traffic clearing the intersection.

It is recognized that certain municipalities employ and certain traffic engineers favor the use of traffic control signals utilizing but two colors, namely, green and red, or two indications, namely "Go" and "Stop," and without a definite time interval between such signals. In the event a municipality maintains traffic control signals utilizing only these two colors or indications and without a definite time interval between such signals, then it is recommended that Section 10 be written as follows:

#### **Section —. Two-Indication Traffic Control Signal Legend.**

(a) Whenever traffic at an intersection is alternately directed to proceed and to stop by the use of signals exhibiting green and red lights or the words "Go" and "Stop" and without a definite time interval between such

signals, said lights and terms shall indicate as follows, except as provided in Section 16:

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

Red or "Stop"—No waiting traffic facing the signal shall proceed until the green or "Go" signal is displayed, and moving traffic facing the signal shall stop before entering the nearest crosswalk at the intersection and remain standing until the green or "Go" signal is displayed, except that in the event an approaching vehicle is so close to the intersection at the time the red or "Stop" signal first appears that such vehicle cannot stop with safety, then it may proceed.

ADDITIONAL NOTE TO SECTION 10. In the event of special conditions rendering it advisable to permit right or left turns by traffic facing a red or "Stop" signal, it is suggested that an additional subsection be added to Section 10 to read as follows:

(...) A special signal light in the form of an arrow showing green, or a special sign, may be employed to permit turning movement in the direction of the arrow at times when such movement would otherwise be prohibited according to the traffic control signal legend set forth in this section.

### **Section 11. Display of Unauthorized Signs and Signals Prohibited.**

It shall be unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal or device is hereby declared to be a public nuisance, and the (Chief of Police) is hereby empowered to remove the same, or cause it to be removed, without notice.

### **Section 12. Interference with Signs and Signals Prohibited.**

It shall be unlawful for any person to wilfully deface, injure, move, obstruct or interfere with any official traffic sign or signal.

### **Section 13. (Traffic Authority) Authorized to Designate Crosswalks.**

The (traffic authority) is hereby authorized to establish and

to designate and shall thereafter maintain, or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in (his) opinion there is particular danger to pedestrians crossing the roadway, and at such other places as (he) may deem necessary.

**Section 14. (Traffic Authority) Authorized to Designate Safety Zones and Lanes for Traffic.**

(a) The (traffic authority) is hereby empowered to establish safety zones of such kind and character and at such places as (he) may deem necessary for the protection of pedestrians.

(b) The (traffic authority) is also authorized to mark lanes for traffic on street pavements at such places as (he) may deem advisable, consistent with the provisions of this Ordinance.

NOTE TO SECTIONS 13 AND 14. If it is desired that the designated officer shall also determine and designate those intersections at which left turns shall not be made, an additional subdivision might be added to Section 14 to read as follows:

(c) The (traffic authority) is hereby empowered to determine those intersections at which operators of vehicles shall not make a left turn and shall place proper signs at such intersections.

If the Ordinance itself is to designate the intersections at which no left turns shall be made, then an additional section should be inserted in Article VII, to read as follows:

**Section —. Left Turns Prohibited.**

The operator of a vehicle shall not (between the hours of 7 A. M. and 7 P. M. of any day except Sunday or a legal holiday) make a left turn at any of the following intersections:

.....  
.....

Signs shall be erected and maintained designating the provisions of this section.

ADDITIONAL NOTE. In special cases where pedestrian movement is very heavy or other conditions require it, it may be advisable to eliminate right



turns or all turns. This can be treated by the same alternative methods suggested above.

## ARTICLE IV

### PEDESTRIANS' RIGHTS AND DUTIES

#### Section 15. Pedestrians' Right of Way.

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

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

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

#### Section 16. Pedestrians' Right and Duties at Controlled Intersections.

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

NOTE TO SECTION 16. This section, in requiring operators of vehicles to yield the right of way to pedestrians crossing or to those who have started

to cross the roadway upon a "Go" signal, is designed to afford protection to pedestrians under the following circumstances:

(1) A pedestrian who faces a "Go" signal and starts across the street should be permitted to continue his course even though the signal may change and exhibit a "Go" signal to vehicles on the cross street, and such vehicles should not proceed across the path of the pedestrian with such haste as to endanger such pedestrian.

(2) When both a pedestrian and a vehicle face a "Go" signal and the pedestrian starts across the roadway in the direction permitted, and the vehicle proceeds to turn to either the right or left, overtaking such pedestrian, the vehicle should yield to the pedestrian. It is suggested that where the volume of vehicular and pedestrian traffic is so great that the above rule would seriously impede vehicular traffic, then the officer on duty should permit intermittent movement of pedestrians and such turning vehicles proceeding on the "Go" signal, or separate intervals should be provided for pedestrian and vehicular movement.

**ADDITIONAL NOTE TO SECTION 16.** Some municipalities have found it both advantageous and feasible to require complete pedestrian obedience to traffic control signals. In cities where public opinion will support such control, the following is suggested as Section 16:

### **Alternate Section 16. Pedestrian' Rights and Duties at Controlled Intersections.**

On streets where traffic at intersections is controlled by traffic control signals or by police officers, pedestrians shall not cross a roadway against a red or "Stop" signal and shall not cross at any place except in a marked or unmarked crosswalk. A pedestrian crossing or starting across in any such crosswalk on a green or "Go" signal shall have the right of way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or a safety zone, and it shall be unlawful for the operator of any vehicle to fail to yield the right of way to any such pedestrian.

**NOTE.** The factors determining the success of a rule requiring definite obedience to traffic control signals by pedestrians are discussed in the explanatory notes accompanying this model ordinance.

### **Section 17. Pedestrians to Use Right Half of Crosswalks.**

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

### **Section 18. Pedestrians Soliciting Rides.**

It shall be unlawful for any person to stand in a roadway for

the purpose of soliciting a ride from the operator of any private vehicle.

ARTICLE V

STREET CARS AND RAILROAD TRAINS

Section 19. Passing Street Cars.

(a) The operator of a vehicle shall not overtake and pass upon the left any street car proceeding in the same direction, whether actually in motion or temporarily at rest. This provision shall not apply on one-way streets.

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

NOTE TO SECTION 19. In streets where the street car track or tracks are located elsewhere than in or near the center of the roadway, or where because of unbalanced vehicle traffic or for any other reason it becomes desirable to establish lanes of traffic on the left of street cars, an exception to subsection (a) above can be made. Such streets will probably not be numerous and the permanent location of the car tracks will definitely govern the conditions, so that they can be named in an amplification of the second sentence of subsection (a), as follows:

(b) The provision in subsection (a) shall not apply on one-way streets, or on the following streets between the points named:

.....  
.....

**Section 20. Driving on Street Car Tracks.**

(a) It shall be unlawful for the operator of any vehicle proceeding upon any street car tracks in front of a street car upon a public street to fail to remove such vehicle from the tracks as soon as practicable after signal from the operator of said street car.

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

**Section 21. Driving Through Safety Zone Prohibited.**

It shall be unlawful for the operator of a vehicle at any time to drive the same over or through a safety zone as defined in this ordinance.

NOTE TO SECTION 21. It should be noted that, as defined, a safety zone does not include the space occupied by the adjacent car track, and Section 21, as above worded, does not prohibit and therefore permits passing either to the left or to the right of a safety zone. In the event a municipality desires to prohibit driving to the left of safety zones or any particular safety zone, such provision, whether accomplished by specific enactment or by power delegated to the traffic authority, should be indicated by a sign at each such point directing traffic to pass only to the right of the safety zone.

**Section 22. Boarding or Alighting from Street Cars or Vehicles.**

It shall be unlawful for any person to board or alight from any street car or vehicle while such street car or vehicle is in motion.

**Section 23. Unlawful Riding.**

It shall be unlawful for any person to ride on any street car or vehicle upon any portion thereof not designed or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or within truck bodies in space intended for merchandise.

**Section 24. Railway Trains and Street Cars Not to Block Streets.**

It shall be unlawful for the directing officer or the operator of any steam or street railway train or car to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching. It shall be unlawful for any street railway train or car to stop within an intersection or on a crosswalk for the purpose of receiving or discharging passengers.

**ARTICLE VI****STOPPING, STANDING AND PARKING****Section 25. Stopping Prohibited in Specified Places.**

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

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the (traffic authority) shall indicate a different length by signs or markings.

**NOTE.** It is recommended that in no event should vehicles be stopped or parked within fifteen (15) feet of the end of a safety zone. The exact distance to be specified might depend upon the width of the roadway, volume of traffic and other material factors.

- (4) Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection, except at alleys.

- (5) Within thirty (30) feet upon the approach to any flash-

ing beacon, stop sign or traffic control signal located at the side of the roadway.

(6) Within fifteen (15) feet of the driveway entrance to any fire station.

(7) With fifteen (15) feet of a fire hydrant.

(8) In front of a private driveway.

(9) On a sidewalk.

(10) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.

(11) On the roadway side of any vehicle stopped or parked at the right hand edge or curb of a street.

(12) At any place where official traffic signs have been erected prohibiting standing and parking.

(13) Within fifty feet of the nearest rail of a steam or inter-urban railway crossing.

NOTE TO SECTION 25. This Section and Section 34 are designed to prohibit double line stopping or parking and specifically prohibit stops even temporarily for any purpose in those places enumerated in Section 25 except as noted therein.

### **Section 26. Standing for Loading or Unloading Only in Certain Places.**

(a) The (traffic authority) shall have authority to determine the location of passenger zones and loading zones and shall erect and maintain or cause to be maintained appropriate signs indicating the same.

(b) It shall be unlawful for the operator of a vehicle to stop, stand or park said vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers in any place marked as a passenger zone.

(c) It shall be unlawful for the operator of a vehicle to stop, stand, or park said vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials, in any place marked as a loading zone. In no case shall the stop for loading and for unloading of materials exceed thirty (30) minutes.

NOTE TO SUBSECTION (a). A municipality may desire to specify more definitely in subsection (a) the limitations to govern the (traffic authority) in locating passenger zones and loading zones. In some ordinances it is provided that loading zones shall not exceed a stated percentage of the curb lines in any block.

NOTE TO SUBSECTION (b). Passenger zones are required for the convenience of passenger traffic at places of public gatherings such as the entrances to schools, churches, theaters, hotels, hospitals and so forth. They should be clearly marked as to their extent and the hours when the regulation is applicable, and during those hours should be used exclusively for passenger loading and unloading.

NOTE TO SUBSECTION (c). Loading zones are requisite where parking is permitted to reduce double-line parking in congested districts, through the provision of suitable spaces along the curbs for loading and unloading operations. Loading zones should be placed as required before the shipping entrances to buildings and at other places where there is a large volume of commercial traffic. Where necessary the regulation should be applied to the length of alleys or other ways where the parking interferes with the loading and unloading of merchandise. Since passenger loading or unloading is of short duration it may be permitted in such zones without undue interference to commercial traffic.

It may be desirable to permit unrestricted parking in loading zones during evening hours, in which event there should be added to subsection (c) the sentence: "The provisions of this subsection (c) shall not be applicable between the hours of (6:00 P. M.) and (6:00 A. M.)"

### **Section 27. (Traffic Authority) Authorized to Designate Bus Stops, Taxicab Stands and Hackney Stands.**

The (traffic authority) is hereby authorized and required to establish bus stops, taxicab stands and hackney stands on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, taxicab stand or hackney stand shall be designated by appropriate signs.

NOTE TO SECTION 27. A municipality may desire to specify in more or less detail in the ordinance the places where the bus stops, taxicab stands, and hackney stands may be located by the (traffic authority).

### **Section 28. Other Vehicles Prohibited from Parking in Bus Stops, Taxicab Stands or Hackney Stands.**

It shall be unlawful for the operator of any vehicle other

than a bus to stand or park in an officially designated bus stop, or for any vehicle other than a taxicab to stand or park in an officially designated taxicab stand, or for any vehicle other than a hackney to stand or park in an officially designated hackney stand, except that the operator of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or unloading of passengers.

**Section 29. Buses, Taxicabs, and Hackneys Prohibited from Parking Except in Designated Stands.**

It shall be unlawful for the operator of any bus, taxicab or hackney to stand or park upon any street in any business district at any place other than at a bus stop, taxicab stand or hackney stand respectively, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

NOTE TO SECTIONS 27, 28 AND 29. The designation of bus stops is primarily for the purpose of providing space where buses can receive and discharge passengers with the minimum hindrance to moving traffic. The designation of taxicab stands and hackney stands serves the purpose of permitting such vehicles to wait until they are called for service. The use of stands for such vehicles avoids much cruising in search of passengers.

**Section 30. Parking Prohibited in Certain Places.**

(a) It shall be unlawful for any operator to stop, stand or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic, except that an operator may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.

(b) It shall be unlawful for any operator to park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.



**Section 31. Parking Time Limited in Designated Places.**

The operator of a vehicle shall not park such vehicle for longer than.....at any time, between the hours of.....A.M. and .....P.M. of any day except Sundays and public holidays in the following described district:

.....  
.....

Signs shall be erected and maintained in each block designating the provisions of this section.

NOTE TO SECTION 31. This section is appropriate where it is desired to limit parking in any designated district to a certain maximum length of time between specified hours.

**Section 32. Parking Prohibited During Certain Hours in Designated Places.**

The operator of a vehicle shall not park such vehicle between the hours of.....of any day except Sundays and public holidays within the (designated district) or upon any of the following described streets:

.....  
.....

Signs shall be erected and maintained in each block designating the provisions of this section.

NOTE TO SECTION 32. This section is appropriate where it is desired to prohibit parking in the central business district or on certain streets during the entire business day or during the morning or evening rush hours. or at other times to be specified in the section.

**Section 33. All Night Parking Prohibited.**

It shall be unlawful for the operator of any vehicle to park said vehicle on any street for a period of time longer than thirty (30) minutes between the hours of (2) A. M. and (6) A. M. of any day.

**Section 34. Standing or Parking Close to Curb.**

(a) Except when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within six inches of the edge of the roadway, except as provided in the following paragraphs:

(1) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.

(2) In places where, and at hours when, stopping for the loading or unloading of merchandise or materials is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads, when the owner of such vehicle holds a permit granting him such special privilege, and provided further that such permit shall be either in the possession of the operator or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load, and it shall be unlawful for any owner or operator to violate any of the special terms or conditions of any such special permit.

(b) The (traffic authority) shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets or cause the same to be marked or signed.

(c) The (traffic authority) is hereby authorized to issue, to any owner of a vehicle used to transport merchandise or materials, a special permit, renewable annually, and to state therein the terms and conditions thereof, allowing the operator of such vehicle the privilege of loading and unloading while the vehicle is backed against the curb, if in the opinion of the (traffic authority) such privilege is reasonably necessary in the conduct of the owner's business and will not seriously interfere with traffic.

NOTE TO SECTION 34, PARAGRAPHS (a), (2) AND (c). These provisions are designed to permit, under the conditions stated, the backing of a vehicle to the curb for purposes of loading or unloading. While this practice should

be discouraged as a serious interference with other vehicular movements on roadways, it is realized that it is difficult to load or unload certain present equipment from the side. Trucks can now be equipped at low cost, however, so that they can be elevated to unload such material as coal from either side or from the rear.

**Section 35. Parking Vehicle for Sale Prohibited.**

It shall be unlawful for any person to park upon a street any vehicle displayed for sale.

**Section 36. Using Vehicle for Primary Purpose of Displaying Advertising Prohibited.**

It shall be unlawful for any person to operate or to park on any street any vehicle for the primary purpose of displaying advertising.

**ARTICLE VII**

**OPERATION OF VEHICLES**

**Section 37. Stop Before Entering a Through Street.**

The following streets and parts of streets are hereby declared to constitute through streets for the purpose of this section:

.....  
.....

Every operator of a vehicle, street car or other conveyance traveling upon any street intersecting any through street above designated shall stop such vehicle, street car or conveyance at the place where such street meets the prolongation of the nearest property line of such through street, subject, however, to the direction of any traffic control sign or signal or any police officer at such intersection.

The (traffic authority) is hereby authorized and required to place and maintain or cause to be placed and maintained on each and every street intersecting a through street designated above, and at or near the property line of the through street, appropriate signs upon the street (and in addition thereto may place and

maintain any appropriate devices or marks in the roadway), such signs, devices or marks to bear the word "Stop" and to be located in such position and to be provided with letters of a size to be clearly legible from a distance of at least one hundred feet along the street intersecting the through street. All such signs shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching motor vehicle or by street lights.

**Section 38. One-Way Streets.**

Upon the following streets, vehicular traffic shall move only in the indicated direction:

.....  
.....

A sign indicating the direction of traffic shall be erected and maintained at every intersection where movement in the opposite direction is prohibited.

**Section 39. Operation of Vehicles on Approach of Authorized Emergency Vehicles.**

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

**Section 40. Following Fire Apparatus Prohibited.**

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than five hundred feet any fire apparatus traveling in response to a fire alarm, or to

drive into or stop any vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

NOTE TO SECTION 40. Municipalities may desire to substitute the words "a city block" for the limitation of five hundred feet.

#### **Section 41. Crossing Fire Hose.**

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

#### **Section 42. Unlawful to Drive Through Procession Unless Directed by Traffic Control Signals or by a Police Officer.**

It shall be unlawful for the operator of any vehicle or street car to drive between the vehicles comprising a funeral or other authorized procession while they are in motion, provided that said vehicles are conspicuously so designated. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

#### **Section 43. Limitations on Turning Around.**

It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without backing or otherwise interfering with other traffic.

NOTE TO SECTION 43. Where it is desired to prohibit turning around at any particular intersection, such prohibition should be indicated by a sign or signs at the intersection.

#### **Section 44. Limitations on Backing.**

The operator of a vehicle shall not back the same unless such movement can be made in safety.

#### **Section 45. Emerging from Alley or Private Driveway.**

The operator of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving

onto a sidewalk or onto the sidewalk area extending across any alleyway.

**Section 46. Vehicles Shall Not Be Driven on Sidewalk.**

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

**Section 47. Obstruction to Operator's View or Driving Mechanism.**

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

(b) It shall be unlawful for any passenger in a vehicle or street car to ride in such position as to interfere with the operator's view ahead, or to the sides, or to interfere with the operator's control over the driving mechanism of the vehicle.

**Section 48. Clinging to Moving Vehicles.**

It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to or attach himself or his vehicle to any other moving vehicle or street car upon any roadway.

NOTE TO SECTION 48. Improper riding in or upon any street car or vehicle is prohibited in Sections 23, 47 and 49.

**Section 49. Riding on Handle Bars Prohibited.**

It shall be unlawful for the operator of any bicycle or motorcycle, when upon the street, to carry any other person upon the handle bar, frame or tank of any such vehicle, or for any person to so ride upon any such vehicle.

**Section 50. Use of Coasters, Roller Skates, and Similar Devices Restricted.**

It shall be unlawful for any person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, to

go upon any roadway except while crossing a street on a crosswalk.

**Section 51. Motor Vehicles Left Unattended, Brakes to Be Set and Engine Stopped.**

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

**Section 52. Lights on Parked Vehicles.**

Whenever a vehicle is parked or stopped on a street during the times between one-half hour after sunset and one-half hour before sunrise or at any other time when there is not sufficient light to render clearly discernible any vehicle on the street from a distance of 200 feet, there shall be displayed upon such vehicle one or more lamps, projecting a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of 500 feet to the rear, except that such parking light or lights need not be displayed upon any vehicle stopped or parked in accordance with other provisions of this Ordinance upon any street designated by the (traffic authority) where there is sufficient light to reveal any person within a distance of 200 feet upon such street.

*NOTE.* Article VII of the Ordinance set forth above includes those regulations covering the operation of vehicles which it is recommended be included in a municipal traffic ordinance, except in case such regulations are in conflict with the state vehicle law, or unnecessarily duplicate state law provisions.

State vehicle laws include additional regulations and rules of the road, such as restrictions as to speed and prohibitions against reckless driving. In general it is believed that such state law provisions need not be and should not be repeated in municipal ordinances. However, it is recognized that in some states it is necessary for purposes of local enforcement to repeat state law provisions in municipal ordinances, and in some states, furthermore, the matters are not fully covered by the state law. With

these situations in mind additional regulations adapted from the Uniform Vehicle Code approved by the National Conference on Street and Highway Safety are presented beginning on page 38.

## ARTICLE VIII

### PENALTIES AND PROCEDURE ON ARREST

#### Section 53. Penalties.

Any person violating any of the provisions of this Ordinance or any rule or regulation made by the (Board of Police Commissioners) pursuant thereto shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as follows:

.....

.....

#### Section 54. Procedure Upon Arrest.

(a) Whenever any person is arrested for violating any provision of this Ordinance, the arresting officer shall take the violator's name, address, operator's license number and the registration number of the motor vehicle involved and issue to him in writing on a form provided by the city (financial official) a notice to answer to the charge against him within five (5) days during hours and at a place specified in the notice. The officer shall thereupon, and upon giving by the violator of his written promise to answer as specified in the notice, release him from custody. The arresting officer shall send one copy of such notice to the (Chief of Police) and one copy to the court or the (Traffic Violations Bureau).

(b) Any person who wilfully violates his written promise to appear, given in accordance with this section, shall be guilty of a misdemeanor, regardless of the disposition of the charge on which he was originally arrested.

(c) Whenever any motor vehicle without an operator is found parked in violation of any of the parking restrictions of this Ordinance, the officer finding it shall take its registration number, and any other information displayed on the vehicle which may identify its user, and affix conspicuously to such vehicle a



notice in writing on a form provided by the city (financial official) for the operator to answer to the charge against him within five (5) days during hours and at a place specified in the notice. The officer shall send one copy of such notice to the (Chief of Police) and one copy to the (court) or to the (Traffic Violations Bureau).

(d) Any operator of a motor vehicle who willfully neglects to answer to the charges set forth in a notice affixed by a police officer, in accordance with this section, to such motor vehicle, shall be guilty of a misdemeanor regardless of the disposition of the charge for which the notice was originally issued.

NOTE TO SECTION 54. The procedure upon arrest as provided in this section represents recommended practice in those municipalities where it is permissible under state law for the municipality to prescribe by ordinance the procedure to be followed upon arrest. It is recognized that in some states the matter of procedure upon arrest, whether for violation of a state law or municipal penal ordinance, is prescribed by general or specific state statutes and it is not competent for a municipality to legislate upon such subject. Upon adoption by a city of the model ordinance consideration should therefore be given to any constitutional or other legal considerations which might require a revision or elimination of the procedure provisions incorporated in this section.

**Section 55 Owner Prima Facie Responsible for Illegal Parking.**

If any vehicle is found upon a street or highway in violation of any provision of this Ordinance regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

**Section 56. Disposition of Fines and Forfeitures.**

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this Ordinance shall be paid into the city treasury and deposited in ( ) funds and be expendable for the following purposes:

- .....
- .....

**Section 57. Effect of Ordinance.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this Ordinance. The (City Council, Board of Trustees) hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, even if it had known that any one or more sections, subsections, sentences, clauses or phrases would be declared unconstitutional.

**Section 58. Repeal.**

Ordinance No.....(former traffic ordinance of the city) of this (city) is hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

**Section 59. Publication of Ordinance.**

The (City Clerk) shall certify to the passage of this Ordinance and cause the same to be published in the .....

**ADDENDUM**

It has been found most desirable in many cities to make provision for a Traffic Violations Bureau usually functioning as an adjunct to the court having jurisdiction of offenses against the traffic regulations.

The establishment of such a bureau is particularly desirable with respect to the appearances made following arrest for parking and other local regulations and in some instances the plan of appearance before a traffic violations bureau is a practical necessity in those cities where the traffic courts are congested to such an extent as to render it impossible for the courts to devote necessary and appropriate attention to serious violations of traffic regulations unless the minor offenses are segregated and

the latter offenders are directed to appear at a traffic violations bureau. The following proposed section making provision for a Traffic Violations Bureau can be incorporated in Article VIII of the Ordinance by those cities desiring to do so. The provisions have been carefully framed to preserve the constitutional rights of persons accused.

**Section (—). Traffic Violations Bureau.**

(a) The (court executive) shall establish a Traffic Violations Bureau to assist the court with the clerical work of traffic cases. The Bureau shall be in charge of such person or persons and shall be open at such hours as the (court executive) may designate.

(b) Persons who have received notices as provided in Section 54 may, within the time specified in the notice, answer at the Traffic Violations Bureau to the charges set forth in such notice by paying a prescribed fine and, in writing, pleading guilty to the charge, waiving a hearing in court and giving power of attorney to the person in charge of the Bureau to make such a plea and pay such a fine in court, except as provided in this section, or by depositing cash bail equal to double the prescribed fine for appearance in court at a time specified by the Bureau. Acceptance of the prescribed fine and power of attorney by the Bureau shall be deemed complete satisfaction for the violation, and the violator shall be given a receipt which so states.

(c) Any person who has been guilty of three or more violations of the provisions of this Ordinance within the preceding twelve months shall not be permitted to pay a fine at the Traffic Violations Bureau, but must deposit cash bail, equivalent to double the prescribed fine, for appearance in court at a time specified by the Bureau.

(d) The magistrate or magistrates who hear traffic cases shall designate the fines to be paid for first, second, and third offenses which may be satisfied at the Bureau as provided in subsection (b) of this section, provided these fines are within the limits established as penalties for violations of the provisions of this Ordinance.

(e) The duties of the Traffic Violations Bureau shall be as follows:

1. It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance and give power of attorney.

2. It shall receive and issue receipts for cash bail from all persons who must, or wish to be, heard in court, enter the time of their appearance on the court docket and notify the arresting officer and witnesses, if any, to be present.

3. It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding twelve months whether such guilt was established in court or in the Traffic Violations Bureau.

4. If a violator of the parking restrictions of the Ordinance does not appear as provided in Section 54 (d), the Traffic Violations Bureau shall send to the owner of the motor vehicle to which the notice was affixed a letter informing him of the violation and warning him that he will be held responsible for the appearance of the offender.

5. If the owner or violator does not respond to a letter of warning within three days the Traffic Violations Bureau shall have a notice served in person on the owner requiring him to appear and answer to the charges against the operator of his vehicle.

6. If any person who has received a notice or summons as provided in Section 54 (a) or in Section 54 (c) fails to appear within the specified time, or if any person refuses to deposit bail as provided in subsection (b) or subsection (c) of this section, the Traffic Violations Bureau shall forthwith have a complaint entered against him and secure and issue a warrant for his arrest. The Traffic Violations Bureau shall not accept fines or bail from such persons, but shall consider them entirely under the jurisdiction of the court.

7. The Bureau shall keep records and submit summarized monthly reports to the (court executive), the (Mayor) and (Chief of Police) of all notices issued and arrests made for violations of this Ordinance and of all the fines collected by the Traffic Violations Bureau or the court and of the final disposition or

present status of every case of violation of the provisions of the Ordinance. These reports shall be public information.

(f) The city (financial official) shall provide in triplicate suitable serially numbered forms for notifying violators to appear and answer to charges of violating the provisions of this Ordinance. Such forms shall be issued to and receipted for by the (Chief of Police) or other person acting for him. The city (financial official) shall each month report to the (Mayor) and (court executive) the disposal made by the police of all duplicate forms issued to them. For this purpose the city (financial official) or his representative shall have access to the necessary records of the Police Department and Traffic Violations Bureau. These reports shall be public information.

**NOTE.** In some cities it may be desirable upon establishing a Traffic Violations Bureau to make provision authorizing that persons charged with certain minor offenses against the state traffic laws may make appearance before the Traffic Violations Bureau. In such event an added subdivision of the section might provide either by general terms or by reference to specified offenses for appearance before the Bureau as, for example:

(g) Any person arrested for any offence against the motor vehicle laws of this state which offense is punishable as a misdemeanor (other than driving while intoxicated or reckless driving) may be given a notice to appear at the Traffic Violations Bureau and shall be subject to all the provisions of this section.

## APPENDIX

### STATE LAW PROVISIONS THAT MAY BE REPEATED OR INSERTED IN MUNICIPAL ORDINANCES

The regulations that follow are those recommended for inclusion in the state law. The provisions are either identical with the Uniform Vehicle Code, or in some few instances have been adapted therefrom to meet urban conditions. In those states where repetition of state law provisions is necessary in municipal ordinances for purposes of local enforcement or in the event state law provisions are inadequate, then the following provisions or such portions as may be desired should be included in the Model Ordinance under Article VII, "Operation of Vehicles," or under one or more additional articles. For purposes of sequence and present identification the Sections appearing in this appendix are numbered in sequence—01, 02, 03, etc.

#### **Section (01). Persons under the Influence of Intoxicating Liquor or Narcotic Drugs.**

It shall be unlawful for any person who is an habitual user of narcotic drugs, or any person who is under the influence of intoxicating liquor or narcotic drugs, to drive any vehicle upon any street or other public way.

Any person convicted of a violation of this section shall be punished by imprisonment in the municipal jail for not less than thirty days nor more than (one year), or by fine of not less than one hundred dollars, nor more than (one thousand dollars), or by both such fine and imprisonment. On a second or subsequent conviction, any person so convicted shall be punished by imprisonment for not less than ninety days nor more than one year, and in the discretion of the court by fine of not more than one thousand dollars.

#### **Section (02). Reckless Driving.**

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

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

or by a fine of not less than fifty dollars nor more than (one thousand dollars), or by both such fine and imprisonment.

**Section (03). Restrictions as to Speed.**

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

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

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

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

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

1. In a business district, as defined herein, twenty miles an hour;
2. In a residence district, as defined herein and in public parks within cities, unless a different speed is fixed in public parks by local authorities and duly posted, twenty-five miles an hour;
3. Outside of business and residence districts and except as otherwise limited by this act, forty-five miles an hour;

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

4. Fifteen miles an hour when passing a school building or the grounds

thereof during school recess or while children are going to or leaving school during opening or closing hours.

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

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

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

#### **Section (04). Minimum Speed Regulation**

It shall be unlawful for any person unnecessarily to drive at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or because upon a grade or when the vehicle is a truck or truck and trailer necessarily or in compliance with law proceeding at reduced speed.

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



**Section (05). When Speed Limit Not Applicable.**

The speed limits set for in this act shall not apply to authorized emergency vehicles when operated in emergencies and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

**Section (06). Drive on Right Side of Highway.**

(a) Upon all highways of sufficient width, other than one-way highways, a vehicle shall drive the same upon the right half of the highway except when the right half is out of repair and for such reason impassable or when overtaking and passing another vehicle subject to the limitations set forth in Section (09).

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

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

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

**Section (07). Special Regulations Applicable on Streets and Highways Laned for Traffic.**

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

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

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

(c) Upon a highway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing

another vehicle or in preparation for a left turn or unless such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted or marked to give notice of such allocation.

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

#### **Section (08). Overtaking a Vehicle.**

Except as otherwise provided in this section the following rules shall govern the overtaking and passing of vehicles:

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

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

(c) In the event vehicles on a street or highway are moving in two or more substantially continuous lines the provisions of subdivisions (a) and (b) of this section shall not be considered as prohibiting the vehicles in one such line overtaking or passing the vehicles in another such line either upon the right or the left, nor shall the provisions of subdivisions (a) and (b) of this section be construed to prohibit a driver overtaking and passing upon the right another vehicle which is making or about to make a left turn.

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

#### **Section (09). Limitations on Driving on Left Side of Highway.**

The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding

in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without impeding the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken, nor shall the driver of a vehicle in any event drive to the left side of the center line of a highway when approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of five hundred (500) feet.

**Section (010). Following Too Closely.**

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

**Section (011). Right of Way Between Vehicles.**

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

(b) Vehicle entering a through highway. The driver of any vehicle who has stopped as required by law at the entrance to a through highway shall yield to other vehicles within the intersection or approaching so closely on the through highway as to constitute an immediate hazard, but said driver having so yielded may proceed and other vehicles approaching the intersection on the through highway shall yield to the vehicle so proceeding into or across the through highway.

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

**Section (012). Exceptions to Right of Way.**

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

(b) The driver of a vehicle upon a highway shall yield the right of way to authorized emergency vehicles when the latter are operated in

emergencies and the drivers thereof sound audible signal by bell, siren, compression or exhaust whistle. This provision shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

**Section (013). Turning at Intersections.**

The driver of a vehicle intending to turn at an intersection shall do so as follows unless a different method of turning is directed by buttons, markers or signs at intersections, in which event turns shall be made in accordance with the directions of such markers, buttons or signs:

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

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

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

**Section (014). Turning Around Prohibited Upon Curve or Approach to Crest of Grade.**

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

**Section (015). Stop Required in Obedience to Signal Indicating Approach of Train.**

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

**Section (016). Certain Vehicles Must Stop at All Railway Grade Crossings.**

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

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

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

**Section (017). Duty to Stop in Event of Accident.**

The driver of any vehicle involved in an accident resulting in injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident, and shall give his name and address and registration number of his vehicle to the person struck or to the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident, reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary or is requested by the injured person.

Every person convicted under this section upon a charge of failure to stop after an accident resulting in injury or death of any person shall

be punished by imprisonment in the municipal jail for not less than thirty days nor more than one year, or by a fine of not less than one hundred dollars, nor more than five thousand dollars, or by both such fine and imprisonment. Any person convicted under this section upon a charge of failure to stop after an accident resulting in damage to property, shall be guilty of a misdemeanor.

**Section (018). Duty to Report Accidents.**

(a) The operator of any vehicle involved in an accident resulting in injuries or death to any person (or property damages to an apparent extent of (\$50.00) (fifty dollars or more) shall within 24 hours make a report of such accident to the police headquarters in this (City).

## RECOMMENDED SCOPE OF MUNICIPAL TRAFFIC ORDINANCE

The Uniform Vehicle Code for state enactment includes regulations governing traffic as well as required equipment of vehicles, the licensing of operators and chauffeurs, the registration of vehicles by state authority and the certification of motor vehicle titles. The Model Ordinance has been prepared as supplemental to and in conformity with the Uniform Vehicle Code. The Model Ordinance covers such purely local matters as the authority of local police in the direction and control of traffic, the erection of necessary signs and signals, parking regulations, special rules for the protection of pedestrians and certain driving rules peculiarly necessary on city streets.

It is recommended that municipal ordinances in the main be supplemental to state law provisions. In general it would be undesirable to incorporate in a city ordinance all the state law provisions except in those states where constitutional provisions require such repetition in order to obtain local enforcement. Where such repetition is necessary, it is urged that the provisions of the Uniform Vehicle Code be adopted and included in the city ordinance. Furthermore, individual cities in states that have not yet adopted the Uniform Vehicle Code may wish to put its provisions into effect locally. As an aid in this matter the Model Municipal Traffic Ordinance has attached thereto a series of provisions adapted from the Uniform Code.

It is recommended that the regulations be as simple and few in number as possible and that they be reasonably designed to increase safety and at the same time facilitate the movement of traffic. It is believed that reasonable regulations so designed will command respect and be to a large extent self-enforcing. On the other hand, unreasonable or unduly restrictive measures arouse resentment and invite disobedience, and cannot be enforced by an army of traffic officers.

It is realized that a difficult problem is involved in the application of the ordinance provisions to conditions in particular

cities. For example, the intersections at which traffic control signals shall be installed and those streets which shall be designated as through streets should be determined upon the basis of volume of traffic and particular hazard to vehicles and pedestrians. With these problems in mind, it is recommended that municipalities conduct comprehensive traffic surveys in order that local conditions may be fully understood and proper application be made of the principles of traffic control embraced in the Model Ordinance.

### ARTICLE I—DEFINITIONS

It is suggested that in considering the Ordinance the substantive matters of the Ordinance be first read without prior detailed consideration of the definitions in Section 1. Standing alone the definitions would probably raise numerous questions, but they are prepared to fit the context of the Ordinance. Consequently, while such terms as "street or highway" and "vehicle" might with equal logic be defined in several ways, changes in the definitions presented without regard to the Ordinance might alter the substantive provisions of the Ordinance in a manner not desired. It is suggested that, upon reading the provisions of the Ordinance, if any question arises as to the meaning of a term used therein, reference then be made to the particular definition to determine whether or not the provision is clear and explicit and means what is intended.

### ARTICLE II—AUTHORITY OF POLICE

Municipal police departments have been faced with a new and complex problem in directing traffic movement and enforcing regulations. The police have three general functions with respect to traffic: (1) To direct traffic, (2) to advise and inform the public concerning traffic regulations, in order to prevent violations and dangerous practices, and (3) to apprehend wilful violators of the regulations. Sections 2, 3 and 4 of the Ordinance are necessary to enable the police to perform these functions. Other sections, such as Section 9 (Obedience to Traffic Signs and Signals), further define the authority of the police over traffic.



The performance of these functions calls for a well trained, capable body of officers acting under central authority. It is desirable that the Chief of Police or a designated police official of high rank direct all officers within the city assigned to traffic duties. This places a direct and ascertainable responsibility upon the designated officer, and promotes uniformity in enforcement methods and interpretation of traffic regulations throughout the city.

Certain municipalities have decentralized the work of the traffic police. Each precinct captain exercises independent control in traffic matters within his jurisdiction. This practice is most disadvantageous. Strict enforcement in certain parts of the city is accompanied by lax enforcement in other sections. There is no uniformity either in methods of enforcement or in interpretation and application of regulations. Effective police administration demands centralized control and direction.

In small communities it is recognized that there may be no separate traffic division. In larger cities officers ordinarily on patrol duty frequently have to be assigned to traffic control during rush hours. The Ordinance therefore uses the term "police officers" as defined in Section 1 to enable the Chief of Police to clothe any of his men with the necessary authority in traffic matters.

#### **Public Employees to Obey Traffic Regulations**

An idea has apparently prevailed in the minds of public employees that they are not to be held to strict account for violation of traffic regulations. It is desirable that there be no false ideas in this regard. Section 5, therefore, clearly and explicitly declares that the provisions of the Ordinance shall apply to the operator of any vehicle owned by or used in the service of the United States Government or of the State, county or municipality, except as exemptions may be definitely stated in the Ordinance, such as those applicable to authorized emergency vehicles.

#### **Exemptions to Authorized Emergency Vehicles**

Recognizing the necessity for authorized emergency vehicles to violate provisions of the Ordinance in emergencies, subject at

all times to proper regard for the safety of others, Section 6 defines the extent to which such authorized emergency vehicles are exempt from the provisions of the Ordinance.

### **Bicycles, Ridden and Herded Animals and Push Carts**

Section 7 makes persons riding bicycles or animals or driving animals subject to the rules of the road. Operators of push carts must use the roadways exclusively and are therefore brought under Section 7, whereas persons pushing baby carriages and the like, whose right to use the roadways can be confined to the crosswalks, are classed as pedestrians.

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

When a municipality adopts and proceeds to enforce even the simplest traffic ordinance, it is impossible for the public to bear in mind all of the regulations with reference to parking and other matters, and the necessity is apparent for the erection of signs and signals and the placing of markings to give immediate and constant notice of regulations. There is need for such indications as parking time limits, places where parking is prohibited, and through streets at the entrances to which stops are required—not merely for the benefit of residents of the locality but to give notice to visitors in the community.

Section 8(a) provides for determining the character of signs and signals and the placing of them by proper authority. The latter is deemed of such importance that the Ordinance in Section 8(b) declares that

“No provision of this ordinance for which signs are required shall be enforceable against an alleged violator, if at the time and place of the alleged violation the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person.”

The foregoing provision does not, of course, necessitate signs for each and every item of the Ordinance. It will be noted that it requires signs only in those instances when particular sections of the Ordinance, establishing definite rules, carry the requirement that signs shall be erected to give notice of such provisions.

In other words, reference should be made to the substantive provisions of the Ordinance which declare when and what signs are required.

It is highly desirable that all official traffic signs and signals erected under the Ordinance be uniform as to both type and location as far as practicable for particular purposes throughout the city. It is also desirable that they be standardized and conform as far as possible with those of other municipalities. When every municipality adopts the same general system of signs, signals and markings, the motor tourist as well as the pedestrian visitor will readily recognize and may be expected to observe the regulations in whatever municipality he may find himself.

It is recommended, therefore, that the City Council or other local authority, when determining the character of official traffic signs and signals as provided in Section 8(a) of the Ordinance, give careful consideration to and if possible adopt the standard system of signs and signals recently recommended by the American Engineering Council, which was prepared by a committee appointed by that body at the request of the National Conference on Street and Highway Safety. This standard system is in harmony with the standards for rural highways adopted jointly by the American Association of State Highway Officials and the U. S. Bureau of Public Roads. The committee's report can be obtained from the American Engineering Council, 26 Jackson Place, N. W., Washington, D. C., or from the National Conference on Street and Highway Safety.

### **Obedience to Traffic Signs and Signals**

The need for Section 9, requiring obedience to traffic signs and signals, is obvious.

### **Traffic Control Signals**

Traffic control signals are designed for the purpose of alternating the movements of traffic at intersections where otherwise confusion and congestion would result. The report of the American Engineering Council above referred to discusses reasons for the installation of signals, types of systems, methods of opera-

tion, time periods, and details of location, height, housing and support. The function of the Model Ordinance is to indicate clearly the meaning of the signal indications and the obligations imposed on vehicle and street car operators and pedestrians. Section 10 does this.

The majority of signal systems employ three colors—green to go, red to stop and yellow (or amber) to indicate caution or an approaching change. The three-color system is strongly recommended, and the language of Section 10 assumes the use of three colors. In recognition, however, of a school of thought favoring the two-color system, using red and green only, a suggested provision defining the meanings of the two colors is appended to Section 10. This is designated the "Two Indication Traffic Control Signal Legend" to differentiate it from the system in a few cities employing a dark period instead of a yellow light for the change interval.

Where the three-color system is used the colors should have the following meanings:

Green means permission to go, subject to the safety of others or to the specific directions of an officer.

Red means to stop before entering the intersection or crosswalk, and remain standing until green is shown alone.

Yellow following the green means to stop before entering the intersection or crosswalk unless, when the yellow appears, the vehicle is so close to the intersection that with suitable brakes it cannot stop. This distance for a speed of 20 miles per hour is specified as 50 feet in the National Code on Brakes and Brake Testing. If within such distance the vehicle should proceed across the intersection. If the yellow is used following the red, vehicles must not enter the intersection or crosswalk until the green appears alone. This use of yellow, however, is not recommended.

Where red and green only are used, the green has the same significance as in the three-color system; namely, to permit vehicles to go, subject to the safety of others, and the directions of an officer; while red means to stop unless the vehicle is so close to the intersection or crosswalk that it is unable to stop

before entering the same, in which case it shall proceed across the intersection.

*Right and Left Turns*—The Ordinance provides that all movements, including turns, shall ordinarily be made on the green light.

There are certain heavily traveled thoroughfares where it has been deemed desirable to make left turns from the thoroughfare with the cross traffic. Where this is found necessary after careful study of the situation, the special regulation should be clearly indicated by a sign at each intersection, or better still, a special signal light should be provided, in the form of an arrow pointing left, which will show green when the left turn is to be made. The use of such an arrow has the great advantage of preserving the integrity of the color indications, and the motorist will see and understand such special signal much more readily than a sign.

In some cities right turns are permitted on the red as well as on the green lights. Some of the ordinances permitting this require that before making the turn on the red light the driver shall stop at the crosswalk, and shall make the turn with special regard for the safety of pedestrians and other vehicles. Others do not even require the preliminary stop. Whether or not the stop is required, the practice cannot be recommended, because it violates the standard significance of the red light, making it a cautionary and not a positive signal for such vehicles. Furthermore, even if the vehicle stops before turning the turn on the red light adds unfairly to the pedestrian's burden. Where there is any considerable demand on the part of motorists to be permitted to make right turns on the red light, it may mean that signals have been installed at places where they are not needed, or are being operated at times when they are not needed, or that the cycle is unnecessarily long. Correction of such conditions should then be sought, rather than the making of a special rule.

If it is considered necessary to permit right turns against the red light at any particular point, this should be indicated in the manner already recommended for left turns, namely, by the

erection of a sign or preferably the use of an additional signal with an arrow pointing right, showing green at all times when such turn is permitted.

There are some cases where an important thoroughfare makes a right-angle turn. In such cases the turning movement (right in one direction, left in the other direction) may be regarded as the normal movement, and any other movement at the intersection interfering with the former may be prohibited or limited. Any such condition requires special engineering study, but its control should conform to the foregoing principles.

*Special Signal Indications for Pedestrians.*—There are some intersections where the pedestrian movement in all directions is so heavy at times, especially if combined with complicated vehicular turns, that the authorities have felt it necessary to set aside a certain time interval, perhaps 15 or 20 seconds, for exclusive pedestrian use of the intersection. As already stated in a preceding section, the use of yellow in such a case is not recommended because it would conflict with the standard significance of that color. It may be possible to use a special color, such as purple, to indicate exclusive pedestrian movement; or the vehicles may be stopped by red signal lights at all entrances to the intersection, and the pedestrians permitted to move on such lights, or additional small lights may be used to direct the pedestrian movement at such times. The use of red in all directions for pedestrian movement is not recommended because it tends to break down the efforts being made to induce pedestrians as well as motorists to obey red lights.

#### **Unauthorized Signs**

It is vital that only one official board, body or designated officer exercise control over the placing of traffic signs, signals and markings. Every sign, signal or marking placed under official authority and consistent with the Ordinance is declared in the Ordinance to be an official sign or signal.

The Ordinance in Section 11 prohibits the erection or maintenance of other than official signs or signals either upon or in view of the street, and also prohibits the erection of any unofficial sign or signal which hides from view any official traffic sign

or signal. There has been a tendency on the part of private persons to erect signs upon or adjacent to streets and highways in imitation of standard traffic signs and intended to advertise roadside stands and other mercantile places. The ordinance prohibits this practice.

### **Interference with Signs**

Section 12, prohibiting defacement or other interference with signs, needs no comment.

### **Crosswalks**

The Ordinance in Section 13 authorizes the Chief of Police or other official to mark crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and requires that once marked, the marking shall be maintained properly. Marked crosswalks at intersections serve two purposes:

1. They influence pedestrians to use such crosswalks and avoid crossing roadways at other points.
2. By defining the boundaries within which pedestrian movement may be anticipated, they serve to incite obedience on the part of drivers of vehicles to the recommended rule (Section 15(a)), that the drivers of vehicles shall yield the right of way to pedestrians crossing at intersections.

Under the Ordinance, however, absence of marked crosswalks at intersections does not relieve drivers of the obligation to yield the right of way to pedestrians proceeding on such unmarked crosswalks in accordance with the provisions of the Ordinance.

### **Safety Zones**

The placing of safety zones at street car stops has proved of the utmost value in the protection of persons boarding or alighting from street cars, and in speeding up street car loading. The movement of vehicular traffic past a standing street car is also facilitated. Safety zones, or isles of safety, placed in the centers of wide thoroughfares, have also been advantageous to pedestrians crossing such thoroughfares.

Section 14(b) of the Ordinance, which is intended to protect street car users, also has the desirable effect of stimulating the installation of safety zones at street car stops. Vehicles must stop behind standing street cars while passengers are boarding or alighting except where safety zones have been established.

Safety zones in crosswalks are also desirable in or near the centers of wide roadways where there is heavy movement of both vehicles and pedestrians, to afford a place of refuge for pedestrians unable to get entirely across the street before the signal changes, and also for pedestrians at uncontrolled intersections. Street car safety zones are often of great assistance to pedestrians crossing the street.

The Committee of the American Engineering Council approves two general types of safety zones: (1) A raised platform of concrete or wood, with adequate protection against collision at the end from which traffic approaches; (2) pavement space without platform, protected at the end and also along the side next to the traffic lane.

That Committee also recognizes two other types of safety zones. One of these—pavement space without platform, marked at the end and along the side by portable signs, mounted either on heavy pedestals or posts set in sockets in the pavement—is not recommended for general use, but the Committee feels that it may be used on streets where there is congestion of pedestrians and car riders at certain times of the day and where at other times, especially at night, it is expedient to give the use of the entire roadway to vehicles by the removal of the portable signs. The fourth type so-called safety zone is merely an area marked off on the pavement by painted lines, or by painted lines and mushroom buttons. The Committee believes this type to be dangerous and does not recommend it.

#### Lanes for Traffic

The practice of laning roadways for traffic by clearly marked lines on the surface is increasing and is proving most advantageous in effecting more orderly movement of traffic. Section 14(b) empowers the traffic authority to mark lanes when he deems it advisable.



### Prohibited Turns

If it is deemed desirable to prohibit left turns at certain intersections this can be accomplished either by empowering the (traffic authority) to designate the intersections where such prohibition applies, or by designating the intersections in the Ordinance. Section 14(c) and the blank section following provide for both alternatives. In either event the prohibition must be indicated by proper signs. If it is desired to prohibit right turns at any point this can be accomplished by the same alternative methods.

## ARTICLE IV—PEDESTRIANS' RIGHTS AND DUTIES

Traffic accident records disclose a startling number and proportion of pedestrian fatalities and injuries. The common-law rule has maintained for many centuries that all users of the highway have equal and reciprocal rights and duties on public highways. This has meant that, as a matter of law, pedestrians have equal rights with vehicles to use and occupy public roadways. From a practical standpoint, however, the pedestrian has obviously not been in a position to assert this equal right, and has suffered in consequence.

It is desirable that existing conflicts between pedestrian and vehicular movement be reduced without unreasonable inconvenience to either. The pedestrian may well be called upon to surrender some of his present equal right to the use of all parts of the roadway, and it is recommended that a pedestrian crossing a roadway at any point other than a marked or unmarked crosswalk be required to yield the right of way to vehicles upon the roadway. Operators of vehicles benefited by the foregoing regulation may justly be called upon to yield the right of way to pedestrians on crosswalks.

The Ordinance in Section 15 gives the pedestrian legal protection at crosswalks, whether marked or not, while requiring that he yield the right of way to vehicles elsewhere in roadways. The latter requirement, however, does not relieve the motorist from the duty to exercise due care for the protection of pedestrians in midblock. The language of the Ordinance is not that

the operator of the vehicle may take the right of way but that the pedestrian shall yield it.

### **Right of Way at Controlled Intersections**

A special problem is presented with reference to the movement of pedestrians at intersections where vehicular movement is regulated by traffic officers or traffic control signals. Certain communities have specifically required that pedestrians shall cross the roadway only on the "Go" signal, and this regulation has been a pronounced success in certain cities. Authorities in other cities, however, are apprehensive over the results should it be adopted. It is recognized that a delicate problem of introduction and enforcement is involved.

The success of a rule requiring definite obedience by pedestrians to traffic control signals depends in large measure upon a proper timing of the signals as well as numerous other physical factors, also upon intensive educational activities. Where the vehicular movement is heavy, it is obviously dangerous for pedestrians to cross the line of fast moving vehicles. On the other hand, where the vehicular movement is light, where there is congestion of pedestrians, or where the "Go" signal to vehicles is unduly prolonged, pedestrians waiting on adjacent sidewalks become impatient and are inclined to proceed immediately across the roadway. Pedestrian regulation in this respect, in order to be successful, must be appropriate to the conditions and must appeal to the good sense of the pedestrians.

In order that a choice remain as to the type of regulation to be adopted, the Ordinance sets up alternate provisions as to pedestrian movement at controlled intersections. The first form of Section 16 simply requires a pedestrian to yield the right of way to vehicles proceeding on a "Go" signal, and likewise requires vehicles, including those making turns, to yield the right of way to pedestrians proceeding on a "Go" signal. Alternate Section 16 specifically directs that pedestrians shall not cross a roadway against a "Stop" signal. It also prohibits a pedestrian in traffic-controlled areas from crossing a street elsewhere than at a crosswalk. The alternate also requires operators of vehicles

to yield the right of way to pedestrians proceeding on a "Go" signal until the pedestrian has reached the opposite curb or a safety zone. Such safety zone may be either a street car loading zone or an isle of safety in a crosswalk.

#### **Pedestrian Use of Sidewalks and Crosswalks**

While it is highly desirable that pedestrians develop habits of walking on the right side of sidewalks, it is not deemed feasible to attempt in this Ordinance to compel them to do so. It is essential for safety and the expeditious clearing of intersections, however, that pedestrians keep to the right on crosswalks whenever practicable, and Section 17 so requires.

#### **Soliciting Rides**

Section 18 makes unlawful the annoying and dangerous practice of standing in roadways and soliciting rides in private vehicles.

### **ARTICLE V—STREET CARS AND RAILROAD TRAINS**

Article V contains a number of sections pertaining to the relationship of street cars and railroad trains to vehicle and pedestrian traffic.

#### **Passing Street Cars**

On streets carrying motor traffic in both directions, and with car tracks or a single track in or near the center of the paved or traversable portion of the roadway, it is obviously unsafe to permit motor vehicles to overtake and pass street cars on the left, because of the great danger of a head-on collision. Subdivision (a) of Section 19 prohibits this practice. In one-way streets carrying a single car track, the danger of collision does not exist, and therefore one-way streets are exempted from the provision.

A special condition is created when in a wide roadway the two car tracks are far enough apart to permit one or more lanes of traffic between them. A special provision can be written into the Ordinance to make it possible to utilize this space safely.

One of the most dangerous conflicts between street cars and

motor vehicles is to be found where vehicles pass street cars loading or unloading passengers. To permit this without regulation would create a great hazard for pedestrians. To prohibit vehicles entirely from passing any standing street car, on the other hand, would unreasonably and unnecessarily hamper traffic flow. It is desirable that these unwise extremes be avoided. Section 19, therefore, requires motorists to stop behind the nearest running board or door of a standing street car until passengers have boarded or reached a place of safety, except that where a safety zone has been established vehicles may proceed past a street car at a speed not greater than is reasonable or proper and with due caution for the safety of pedestrians.

#### **Street Car Operation in Relation to Other Traffic**

It is desirable that proper regulation prevent, so far as possible, conflict between street car and other vehicular traffic.

Street car movement is, of course, limited to rails located in the street. This is one of the most important factors to be considered in adjusting the relationship between such cars and other vehicles. While it is recognized that street railway companies are not granted exclusive right to the use of a part of a public street, nevertheless, motor vehicle operation should not be permitted to interfere unduly with the free use of the track area by street cars. The Ordinance in Section 20 declares it unlawful for the operator of a vehicle proceeding immediately in front of a street car to fail to turn off the tracks as soon as practicable after signal from the operator of the street car. In view of the difficulty and danger to passengers in stopping a street car suddenly, the Ordinance in the same section declares that "when a street car has started to cross an intersection, no operator shall drive upon or across the car tracks within the intersection in front of the street car." This does not preclude an operator from making a right hand turn into the street car street and when beyond the intersection swinging out upon the car tracks around a parked vehicle if he can do it with safety, just as any motorist who has overtaken and passed a street car may do.

It is recommended that street cars be required to obey the "Stop" rule at through streets and traffic control signals at intersections. The Ordinance so requires in Sections 9 and 37.

Numerous accidents have occurred by reason of fast movement of street cars proceeding in opposite directions and passing each other within street intersections. Operators of other vehicles observe and await the passage of a street car from one direction and upon proceeding across the intersection are struck by a rapidly approaching street car from the opposite direction. Many street railway companies have regulations requiring motor-men to exercise special caution on passing other street cars within intersections, and such regulations are highly desirable. Slowing down and ringing of a bell should be the minimum of precaution to be exercised under such circumstances. It is not deemed feasible, however, to embrace this matter in the Ordinance.

#### **Driving Through Safety Zones Prohibited**

The Ordinance in Section 20 declares it unlawful for the operator of a vehicle at any time to drive the same over or through a safety zone as defined in the Ordinance. In some cities vehicles are permitted to drive through safety zones indicated only by marking when they are not occupied by pedestrians. This practice is fraught with danger to pedestrians about to enter the zone, however, and it is believed unsafe to leave the matter to the discretion of the motorist.

As pointed out on page 56, under the heading of "Safety Zones," the American Engineering Council Committee approves only substantial types of safety zones which cannot be entered by motor vehicles without serious damage to the vehicle. However, until communities discontinue the use of zones without adequate physical protection Section 20 will be needed to safeguard car riders.

#### **Boarding or Alighting from Moving Street Cars**

In Section 22 it is declared unlawful to board or alight from any street car or vehicle while it is in motion.

### **Unlawful Riding**

Persons other than employees in the necessary discharge of a duty are prohibited in Section 23 from riding on parts of a street car or vehicle not intended for the use of passengers.

### **Railway Trains and Street Cars Not to Block Street**

Section 24 prohibits the unreasonable blockade of any street by any steam, interurban or street railway train or car. It is believed that municipal authorities and street railway companies should determine the location of street car stops in such places as to afford convenience to patrons and at the same time the least obstruction to other traffic. Particularly, street cars, whether operated singly or in trains, should not stop for the boarding or alighting of passengers at places where any part of the street car remains in or extends into any street intersection.

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

Present city traffic ordinances disclose a multitude of regulations with reference to stopping, standing and parking on city streets. Perhaps no phase of traffic regulation has occasioned more heated debate, irritation and violation of regulations than those pertaining to parking.

Unfortunately, many such regulations have been adopted upon special request of interested parties without thought of correct fundamental principles. Failure to give adequate notice of parking restrictions has occasioned violation of rules and irritation over imposition of fines. Observation discloses no-parking areas, limited-time parking areas, unlimited-time parking, angle parking, and all sorts and manner of regulations. The need is apparent for a thorough consideration of the parking problem and the development of sound and uniform regulations on the subject.

Public highways are required and dedicated primarily for purposes of public travel. However, the stopping and standing of a vehicle when the owner has reached his destination is a neces-

sary incident to this proper use of the vehicle. In so far as the parking or stopping of vehicles adjacent to curbs does not seriously interfere with other uses of the roadway, such parking or stopping is advantageous. When it seriously interferes with the necessary use of street areas for moving vehicles it must give way to the primary use. Likewise, unlimited parking or dead storage of vehicles adjacent to curbs should not be allowed when this interferes with a greater need of the use of such area by a larger number of operators of vehicles desirous of stopping temporarily for purposes of loading or unloading. Also, parking or even stopping should be prohibited in certain areas where the mere presence of a standing vehicle occasions danger to users of the highway or causes unreasonable interference with traffic movement.

#### **Stopping Prohibited in Specified Places**

Except when necessary to avoid conflict with other traffic or in compliance with a traffic sign or signal or an officer's directions, Section 25 absolutely prohibits parking or stopping within intersections, on crosswalks or sidewalks, between safety zones and the adjacent curbs, in front of driveways or the entrances to fire stations, or in close proximity to an intersecting roadway or a fire hydrant. Even momentary stopping within most of the places above enumerated would seriously interfere with legitimate vehicular and pedestrian movement and would be inherently dangerous. This section, together with Section 34, prohibits double-line parking or stopping.

#### **Standing for Loading or Unloading Only in Certain Places**

Municipalities have frequently found that dead storage interferes with legitimate use of curb areas for loading and unloading. To lessen this difficulty the designation of passenger zones is recommended wherein the stopping of vehicles is prohibited other than for the loading or unloading of passengers, and the designation of loading zones which may be used for the loading or unloading of either passengers or materials, but not for parking. Passenger zones will logically be designated at places of public

gathering, such as the entrances to schools, churches, theaters, hotels and hospitals. Loading zones should be placed before shipping entrances to buildings, and at other places where there is a large volume of commercial traffic. Section 26 provides for both types and empowers the proper authority to locate and designate such zones. An important feature of the section is the prohibition of occupancy even by the vehicles they are intended to serve longer than is required for expeditious loading or unloading.

### **Bus Stops, Taxicab Stands and Hackney Stands**

While the Ordinance permits buses, taxicabs and hackneys, as well as private vehicles, to stop in passenger and loading zones while actually loading or unloading passengers, there is recognized the further need for space for buses on regular routes to stop to receive and discharge passengers. It is further recognized that if taxicab and hackney cruising is to be kept to reasonable proportions and taxicab service is still to be readily available to the general public, street space should be provided where the vehicles can stand while waiting for fares. The Ordinance in Sections 27, 28 and 29, therefore, provides for the designation by proper authority of bus stops, taxicab stands and hackney stands, which other vehicles may use momentarily for loading or unloading passengers, and prohibits buses, taxicabs and hackneys from stopping other than momentarily at other points.

Individual municipalities may wish to add a paragraph prohibiting buses from standing for extended periods in bus stops, thus compelling bus companies to provide offstreet terminals. They may also desire to designate the number of taxicabs or hackneys that may occupy a stand, and prohibit a greater number from so occupying it, and may also wish to prohibit cruising. These are believed to be matters for local determination.

The Ordinance is by its terms applicable to all motor traffic, including public buses, taxicabs and hackneys operated on the public streets and highways. It is thought that all of the usual rules and regulations designed to facilitate the movement of traffic and to increase safety should apply to buses, taxicabs and hackneys.



### **Parking Prohibited in Certain Places**

Parking should obviously be entirely prohibited in certain places where a standing car would obstruct or endanger traffic. Section 30 embodies such a prohibition, being so worded as to permit momentary stopping where no traffic will be impeded by such stop.

### **Parking Time Limited in Specified Places**

It is recommended that the municipality appoint a commission and employ a specialist to conduct a traffic survey in order to determine local parking regulations suitable to traffic needs and conditions. Parking surveys should determine the total number of vehicles entering a central business district each day, the number seeking parking space therein, the average time vehicles are parked and the available parking areas off the street, in order that adjustments may be made and embodied in regulations to afford the greatest benefit to the largest number.

Whenever it is disclosed that a relatively small number of vehicles monopolize a limited street parking area, preventing use thereof by large numbers of other vehicles, there is need for a time limit on parking. The question when such time limit and what time limit should be applied depends upon conditions. The Ordinance, in Section 31, with reference to parking time limit, leaves the matter of time to be inserted by the municipal authorities.

### **Prohibition During Certain Hours**

For the double purpose of discouraging all-day parking in congested areas and keeping the main thoroughfares open for the maximum movement of vehicles, a number of cities are prohibiting all parking in the central business district or on certain thoroughfares during the entire day or during the morning and evening rush hours. Section 32 provides for such prohibition, leaving the hours and the streets to be inserted by the municipal authorities.

### **All Night Parking**

Municipalities have frequently prohibited all night parking on city streets, in order to prevent the dead storage of vehicles on

streets at night time. Such parking interferes with street cleaning, which is usually done at night, and also seriously handicaps the police in checking up on stolen and abandoned vehicles. Section 33 is so framed as to prohibit all night parking.

### **Standing or Parking Close to Curb**

Double parking, or parking on the outside of a line of parked vehicles, interferes very seriously with traffic movement. Even parking two or three feet from the curb, or at a slight angle therewith, may throw the lanes of traffic out of line and create a bottleneck. Section 34 of the Ordinance requires that subject to certain exceptions vehicles must be parked parallel to the curb or edge of the roadway and not more than six inches therefrom. This section also provides that except on one-way streets vehicles may park only on the right-hand side.

Demand for parking space has led in many communities to angle parking. Vehicles, instead of being parked parallel with the curb, are headed in toward the curb or backed in either at right angles or diagonally. Angle parking is provided for in one of the two exceptions to Section 34(a). While more vehicles can be parked by this method along a given length of curb, a greater width of the street area is thereby consumed. The plan should not be used, therefore, on main thoroughfares with narrow roadways, where it would unreasonably curtail the roadway area or add to the traffic hazard.

The other exception to Section 34(a) legalizes tailboard loading and unloading, subject to permit (Section 34 (c)). While, as stated in the note to Section 34, it is believed that this practice should be discouraged as a serious interference with traffic, it is recognized that it would be difficult to load or unload much present-day equipment in any other manner.

### **Parking Signs**

The various sections relating to parking require that suitable signs be erected and maintained indicating the requirements. It is particularly desirable that parking time limits be clearly indicated by signs erected immediately inside of the curb lines. The

time limit for parking will necessarily vary in different municipalities and even in different parts of the same municipality. Thus, in the interest of fairness to drivers and in order to secure obedience, it is necessary that parking time limits be clearly indicated at the places where applicable.

#### **Parking Vehicles for Sale**

The parking of vehicles on the street to display them for sale is prohibited in Section 35.

#### **Vehicles for Display Advertising**

Operating or parking vehicles on the street for the primary purpose of displaying advertising is prohibited in Section 36.

### **ARTICLE VII—OPERATION OF VEHICLES**

Article VII contains a series of important provisions relating to the operation of vehicles not included in the preceding articles.

#### **Vehicles to Stop Before Entering Through Streets**

During recent years vehicular travel has tended to become more concentrated upon certain streets and highways than upon others. A preponderance of traffic on main traveled thoroughfares over the amount of traffic from intersecting streets has brought about a rule requiring that cross traffic shall stop before entering designated main thoroughfares or through streets.

The Uniform Vehicle Code empowers state and local authorities in their respective jurisdictions to designate such through streets and highways, and where this has been done with discretion and moderation, with due regard to the relative importance of the traffic on the through street and the cross streets, it has greatly facilitated the movement of traffic. Section 57 provides for the designation of such streets. Obviously, when the stop rule is applied, appropriate signs should be erected and maintained, giving immediate and adequate notice of the regulation, and either illuminated at night, or so placed as to be illuminated by the headlights of approaching motor vehicles or by street lights. The Ordinance so requires.

### **One-Way Streets**

Section 38 of the Ordinance gives the authorities opportunity to designate one-way streets.

The considerations which should govern in the designation of one-way streets are discussed at some length in the report of the National Conference Committee on Measures for the Relief of Traffic Congestion.

### **Operation of Vehicles on Approach of Police or Fire Department Vehicle**

The rapid movement of police, fire department and other emergency vehicles on city streets should occur only when urgently necessary. Operators of other vehicles should have definitely in mind appropriate conduct on the approach of any such emergency vehicle traveling and sounding a siren. The Ordinance, therefore, in Section 1 defines authorized emergency vehicles and in Section 39 directs operators of other vehicles under such circumstances to drive to a position as near as possible and parallel to the right-hand edge or curb of the street, clear of any intersection, and to stop and remain in such position, unless otherwise directed by a traffic or police officer, until the emergency vehicle shall have passed. Motormen of street cars are directed to stop immediately, clear of any intersection, and to remain in such position unless otherwise directed by an officer.

### **Following Fire Apparatus**

Fire marshals have pointed out the serious congestion resulting from motorists crowding into the vicinity of a fire, thus preventing other apparatus from reaching the fire. Section 40, therefore, prohibits following fire apparatus too closely, or driving a vehicle too close to the scene of a fire.

Section 41, which is necessary to protect fire hose in use at a fire, prohibits driving over it.

### **Driving Through Processions**

Various degrees of special right of way are accorded authorized processions in different ordinances. Section 42 of the Model Ordinance is believed to go as far in this direction as it is safe

and proper to do, prohibiting other vehicles from driving between the vehicles of a procession at uncontrolled intersections, provided the vehicles in the procession are conspicuously marked.

It is deemed inadvisable to extend this special privilege to controlled intersections. At such intersections the traffic is presumed to be comparatively heavy, and movement of a procession contrary to the signals might both cause serious congestion by holding back other traffic, and create hazards of collision from vehicle operators believing themselves to have the right of way on the "Go" signal. Except where special police protection is provided, processions should be routed to avoid thoroughfares and intersections of heavy traffic as far as possible.

#### **Limitations on Turning Around and on Backing**

It is deemed impracticable to formulate a general rule satisfactorily applicable in all municipalities prohibiting turning around either at or between intersections, and therefore Section 43 includes only those restrictions to turning around obviously necessary to safeguard other traffic.

Section 44 imposes such limitations on backing as are deemed practicable.

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

A very great danger arises from the movement of vehicles emerging from alleys and private driveways. The immediate danger is to pedestrians on the sidewalks, with a further danger when the emerging vehicle enters the roadway of the street. Thus it is thought desirable to require in Section 45 that any vehicle emerging from an alley or driveway shall be stopped before traversing the sidewalk or any sidewalk area extended across an alley.

#### **Driving on Sidewalk**

Driving on any sidewalk except at a driveway is forbidden in Section 46.

#### **Lights on Parked Vehicles**

The Ordinance in Sections 47-52 contains a series of obviously desirable miscellaneous provisions, the last of which deals with lights on parked vehicles.

Unlighted vehicles parked at night on inadequately lighted streets constitute a common hazard. As a general rule, it is recommended that any vehicle parked at night should display a light both to the front and to the rear. There does not seem to be good reason, however, to require that lights be displayed on vehicles parked at night on brightly lighted business streets. Unnecessary display of lights on parked vehicles simply uses up the batteries without any resulting advantage, and when operators are required to display lights on parked vehicles under conditions which appear unreasonable, resentment and disobedience result. Severe penalties should be visited on those who park vehicles without parking lights under circumstances creating hazard to other users of the highway.

### **ARTICLE VIII—PENALTIES AND PROCEDURE ON ARREST**

Article VIII contains in Sections 53-56 provisions pertaining to enforcement of the Ordinance, and in Sections 57-59 standard provisions the purposes of which are apparent.

#### **Penalties**

In Section 53 every violation of the Ordinance is declared a misdemeanor, no attempt being made to indicate for the individual community the penalties to be prescribed. Other traffic violations, including the more serious ones, would under the Uniform Vehicle Code be violations of and punishable through the state law.

#### **Procedure Upon Arrest**

Practices regarding procedure upon arrest vary widely in different jurisdictions. Section 54 is a suggested form believed to be adaptable to and appropriate for most communities.

#### **Owner Prima Facie Responsible for Illegal Parking**

In some jurisdictions it has been difficult to punish parking violations without actually serving the papers on the offending operators at the time, because of subsequent denial on the part

of the owner that he was operating the vehicle or had sanctioned such violation. Section 55 is designed to make the owner prima facie responsible when the identity of the operator cannot be determined.

### **Traffic Violations Bureaus**

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

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

The unnumbered section in the addendum, page 35, is designed to set up and prescribe the duties of such a traffic violations bureau.

### **Standard State Law Provisions**

Sections (01)-(018) are the repetitions of or adaptations from provisions of the Uniform Vehicle Code referred to earlier in this report, covering such fundamental matters as driving while intoxicated, reckless driving, speed restrictions, the right of way rule and other rules of the road and the reporting of accidents.

Whether or not these provisions are included in the municipal ordinance are matters for determination in each case. In case

they are included, it is desirable that there be written into the sections relating to driving while intoxicated, reckless driving and leaving the scene of an accident without making one's identity known the special penalties provided in the Uniform Vehicle Code. This has been done in Sections (01), (02) and (017).