

# THE MODEL MUNICIPAL TRAFFIC ORDINANCE

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*The model municipal traffic ordinance, if generally adopted, would  
reduce confusion and would cut down the number of accidents ::*

DRIVING from Washington to New York recently, a friend of mine who is thoroughly familiar with and observant of the traffic regulations of Washington first came to grief at Baltimore when he essayed to make a left turn at an officered corner in the manner prescribed in the Washington regulations; namely, pulling into the intersection on the extreme right on the "Go" signal, and waiting for the change of signal. The intersecting streets were narrow, he found it necessary to back to complete the turn, and he was roundly "bawled out" for failing to be in proper position in the center of the street for the turn.

On Broad Street, Philadelphia, he wished to turn left into a narrow one-way street. Realizing this time that there was not room to make the turn according to the Washington method, he attempted to apply the lesson he had learned in Baltimore, and drew up to the center of the intersection. Again he was wrong. This time he should have drawn up to the right-hand curb, stopped before he reached the intersection, and turned when the light was red.

Coming to Fifth Avenue, New York, from a cross street, there was neither traffic officer nor signal light, and it appeared to him that to turn left into the Avenue he must edge slowly across the fast moving streams of southbound traffic. They did not yield, he was soon in trouble, and then he learned

that he was expected to govern his movements by a traffic signal two blocks up the Avenue. When it showed red, traffic on the Avenue stopped, and he had ample opportunity to make the turn.

Making a left turn safely and without interfering seriously with traffic at a busy intersection is often a difficult feat, and it is highly important that motorists know exactly how it is to be done. The model municipal traffic ordinance provides a standard procedure for this, and selects as the standard that which is followed in the greatest number of municipalities and endorsed by the majority of the most experienced traffic engineers—turning on the green or "Go" signal from a point near the center of the intersection.

Making left turns is only one of a number of driving operations on which there is at present diversity of rule, and the committee has sought diligently to point the way to making these rules uniform in every community, just as far as it is possible to do so.

## WHY A MODEL ORDINANCE?

The National Conference on Street and Highway Safety was organized in the spring of 1924 to seek ways and means of checking the rapid increase in street and highway accidents, resulting at that time in more than 20,000 fatalities annually, probably 600,000 serious injuries, and more than \$600,000,000

estimated property loss. The Conference was organized under the chairmanship of Secretary of Commerce Hoover, and has been participated in by numerous national organizations, groups and individuals interested in the humane and economic aspects of the problem.

During the first year eight committees were organized and made reports. A theme running through these reports was the need for uniformity in traffic laws and regulations, and it was the consensus of opinion that not only should the principle of uniformity be emphasized, but working models should be developed to show the way to exact uniformity.

There was therefore organized early in 1925 a committee on uniformity of laws and regulations, and this committee applied itself, working in collaboration with the National Conference of Commissioners on Uniform State Laws, to the development of a uniform vehicle code for adoption by state legislatures. The draft of the code suggested by that committee in its report, like the reports of the other committees working at the same time, was reviewed, modified and unanimously approved by a general meeting of the conference in March, 1926. The revised code was subsequently endorsed by the American Bar Association.

The committee at that time considered the matter of uniform municipal ordinances, and recognized the importance of such uniformity. It felt, however, that the time was not then ripe to work this out—that for the time being such ordinances could best be developed by state and regional conferences in which the participants would mainly be public officials and others thoroughly familiar with the conditions in their particular states. Several such state conferences were

held, and model ordinances were developed. But comparison of them showed that they differed widely both in scope and in manner of presentation, and that their adoption by the municipalities in their respective regions would still leave us far short of the country-wide uniformity so desirable. The National Conference on Street and Highway Safety was therefore urged to take up the problem in the same manner in which it had taken up the state code, and in July, 1927, a committee for the purpose was organized.

Study of the problem indicated that there is not, after all, such a wide difference in municipalities but that many standard provisions could well be applied to those of all sizes; and meanwhile an increasing number of municipalities were stating their desire for a model ordinance and their intention of delaying the revision of their own ordinances until such a model was available. The committee, therefore, took courage from these expressions and developed a tentative draft which was distributed to public officials and citizen groups throughout the land, with an invitation to them to criticize it freely.

The returns from these criticisms were extremely gratifying. Many who responded, including a number of police officials from large cities, stated their willingness to take the ordinance as it stood. A few suggested changes were reviewed at a three-day meeting of the committee last July, and changes were made in the draft. Comments received on the revised draft sent out in August reflect the same enthusiasm, with practically no adverse criticism.

#### PEDESTRIAN AND MOTORIST

Newspaper comment on the model ordinance indicates that one of the subjects in which the public is most interested is the relation of pedestrian

and motorist. Certainly it is one of the most important, with pedestrians contributing two-thirds of the fatalities on our streets and highways. The provisions of the ordinance are not revolutionary, inasmuch as a number of communities have established definite rules for the respective rights and responsibilities of motorists and pedestrians. The ordinance sets forth clearly, however, where and under what circumstances motorists and pedestrians have, and where each must yield, the right of way.

In the absence of police or automatic signals directing him to stop, the pedestrian has the absolute right of way on a crosswalk, and the continuation of the sidewalk lines across an intersection is a crosswalk whether marked or not. At uncontrolled crossings the pedestrian is not to be required to jump, sidestep or sprint to avoid the oncoming motor car. The motorist must slow down, or stop if necessary, to avoid a collision. At controlled intersections the pedestrian who has started on the "Go" signal may continue to the opposite sidewalk or to a safety island, regardless of whether the traffic signal changes, and when he is proceeding legally on a crosswalk he has the right of way over any vehicle making a turn. In return for these concessions, he is required in controlled areas to do all of his crossing at crosswalks, and must yield the right of way to vehicles if he crosses the street elsewhere than on a crosswalk in uncontrolled areas.

Recognizing two schools of thought on the question of whether the pedestrian should absolutely obey traffic signals, the model ordinance offers the alternatives of merely requiring him to yield the right of way to vehicles proceeding lawfully over crosswalks, or requiring him to obey the signals as religiously as the motorist must. Both methods have their staunch advocates,

and probably no single rule will fit all communities.

#### AUTOMATIC TRAFFIC SIGNALS

Traffic signals, and the number and meaning of signal colors, are in great need of standardization. The committee, recognizing that quite a few cities use two colors only, has concluded nevertheless that the logic as well as the trend is toward three colors, and that the use of only two colors results inevitably in giving the red light a dual meaning and introducing a serious element of danger.

The model ordinance provides, therefore, that red shall unequivocally mean to stop before entering the intersection, and to remain standing until the green appears. Yellow, which will always precede red in the three-color system recommended by the committee, will eliminate the excuse for entering the intersection on the red "because he could not stop," although he may enter and cross the intersection on the yellow if he is so near the intersection when the yellow first appears that he cannot stop. Green will obviously mean permission to go.

The ordinance calls for the so-called "split yellow"—showing yellow after green but not after red. It was felt that there is no need to warn the standing motorist that he is about to receive a green light; that the disadvantages outweigh the advantages, and that such use of yellow encourages "jumping" the lights.

While, as above stated, the committee recommends the three-color system, it recognizes that two colors only are used in a number of cities, and suggests a form of alternate provision defining the meanings of the two colors as nearly as possible in harmony with the meanings in the three-color system.

The committee recommends that none of these colors shall have any

other meaning, and that if it is desired to show other indications, such as an interval for pedestrians alone, some other color or colors should be used. The ordinance provides, however, for the use of a green arrow when a turn in a certain direction, that would otherwise be prohibited, may be made.

In its accompanying text the committee outlines what should determine where signals should be installed and discusses different types of signal systems, as well as lengths of cycles, methods of making turns, special signal indications, and location of, and specifications for signals. This discussion is based on a forthcoming report of a committee on street signs, signals and markings of the American Engineering Council, with whose work the committee has been in close touch.

#### PASSING STREET CARS

Another of the important provisions of the model ordinance has to do with overtaking and passing street cars. The ordinance prohibits overtaking a street car on the left elsewhere than on a one-way street, but recognizes that the relative position of tracks and roadway may be such as to warrant an exception which can be definitely specified.

Street cars loading or unloading passengers may be overtaken only where safety zones are provided, and then only with due caution for the safety of the car riders. The practice prevails in some cities of permitting such passing in the absence of safety zones at what is regarded as a safe distance from the street car. The ordinance does not sanction this practice, as the committee believed that neither the safe distance nor a safe speed in passing is generally observed. The motor vehicle must therefore stop behind the nearest door or running board of the street car and remain

standing until the passenger has boarded the street car or reached a place of safety.

Opinion has differed as to whether or not the track alongside a safety zone is part of the zone. The committee holds that it is not, and that in the absence of definite prohibition a motor vehicle may pass the safety zone on the car track. If a community wishes to prohibit this, whether by special enactment or by power delegated to the traffic authority, the committee believes that it should be required to erect a sign directing traffic to the right at each point where that is required.

#### OVERTAKING OTHER VEHICLES ON THE RIGHT

Whether overtaking and passing other vehicles on the right should be permitted was discussed by the committee at considerable length. Knowing that this is being done frequently in city streets, without evidence that it is directly causing accidents, a number of members of the committee felt that it should be legalized. The prevailing view, however, was that it is essentially a dangerous practice and should not be endorsed. If to legalize it would be merely to remove from otherwise law-abiding drivers the stigma of being law-breakers when overtaking carefully on the right under safe conditions, the proposal to legalize this would possibly have been sustained. But the plan would be more far-reaching. It would necessarily impose upon the operator of a vehicle being overtaken a duty to refrain from doing exactly what he is required to do when he hears a horn behind him on a two-lane open road; namely, swing over to the right as promptly as possible. If overtaking on the right is legalized, the operator overtaken has a heavy responsibility not to swerve to right or left until he sees that it can be done safely; and we have no

assurance that the general run of operators will exercise this precaution

Another factor in bringing the committee to its decision was that the uniform vehicle code prohibits overtaking on the right, and no state has legalized it; and therefore to authorize it in the model ordinance would be to propose a new and questionable departure from existing law. As a result of its action, therefore, the committee merely omits reference to the subject in the ordinance.

It appears, nevertheless, that a rigid interpretation of the prohibition, where there are multiple lanes of traffic definitely established, is virtually unenforceable and unnecessary. The committee points to the desirability of establishing lanes of traffic in wide thoroughfares, in which cases it can be assumed that the vehicles in each lane may proceed in a straight line in respect of the rate of speed of those in adjoining lanes.

#### RIGHT OF WAY AT INTERSECTIONS

The right of way rule at intersections, one of the most difficult of rules to frame equitably, and numerous conflicting versions of which beset motorists at the present time, has been written in a new, simple and, it is believed, enforceable form in the model ordinance. The vehicle entering the intersection first is given the right of way. Only when two vehicles enter at the same time is the operator on the left required to yield to the operator on the right. This wording, I believe, will overcome the tendency of motorists on the right, who have not yet reached the intersection, to speed up and dash across the path of the operator proceeding slowly in the intersection. It is pointed out that as a matter of enforcement the courts have generally given the verdict to the operator first in the intersection in such cases, re-

gardless of the exact wording of the provision.

The ordinance makes it clear that the protection of through streets by stop signs does not give traffic on the through streets an unlimited right of way. There has been lack of uniformity in the wording and uncertainty as to the meaning of through-street stop provisions. The ordinance provides that after the operator on a cross street has come to a full stop the usual right of way rule prevails, and he is entitled to a reasonable opportunity to filter into or across the through-street traffic.

#### STOPPING, LOADING AND PARKING

For what is believed to be the first time the committee has drawn clear-cut distinctions between merely stopping, parking, and standing motor vehicles for loading, and has imposed reasonable limitations on each.

At certain points, as within intersections, on crosswalks and sidewalks and alongside safety zones, stopping, even momentarily, for any purpose whatever is prohibited, except when necessary to avoid conflict with other traffic or in compliance with police or traffic signal directions. The traffic authority is empowered to designate passenger zones at which no vehicle may stop longer than is necessary for the expeditious loading or unloading of passengers; and loading zones at which either passenger vehicles or trucks may stop, but only for expeditious loading or unloading. In no case shall a stop for loading or unloading of materials exceed thirty minutes, and parking for any other purpose in either type of zone is prohibited.

The traffic authority is also authorized and required to designate bus stops, taxicab stands and hackney stands. Other passenger vehicles may stop temporarily in such places while actually loading or unloading passen-

gers, but otherwise they are for the exclusive use of the vehicles for which they are designated, and these vehicles may not stop elsewhere except temporarily while actually loading or unloading passengers

To these prohibitions against parking, the definition of which excludes vehicles loading or unloading but makes no distinction whether or not the vehicle is occupied, are added optional forms of provisions prohibiting parking in certain places, limiting the parking time in designated places, prohibiting parking between certain hours in designated places and prohibiting all-night parking. The committee recognizes that individual communities may desire to omit any or all of these latter provisions.

#### OTHER PROVISIONS

The model ordinance contains numerous other provisions, such as those limiting backing, limiting turning around, prohibiting railway trains and street cars from blocking streets, and prohibiting various dangerous practices on the part of drivers, pedestrians and children in the streets; provisions for the designation of through streets, one-way streets and the like, and standard provisions requiring obedience to the police and designating the responsibility for signs, signals, emergency regulations etc

The ordinance proper is confined to the provisions which either are not

ordinarily found in the state law or which need amplification to adapt them to municipal conditions. The committee believes that, except where necessary to meet constitutional or enforcement requirements, the provisions of the state law should not be repeated in the ordinance. It recognizes, however, that in some states it is necessary to repeat many of these provisions, and it therefore presents those which in such cases may well be repeated. These are provisions found in the uniform vehicle code, and it is obvious that in some states having laws not in harmony with the code the provisions, if used in the ordinance, will require modification to bring them into harmony with the state laws, unless it is possible to secure prompt revision of the state law by the legislature to make it in accord with the uniform vehicle code. This would also make possible the desired uniformity as between municipalities in different states.

The committee also suggests a form of supplementary ordinance to create an official traffic commission, one to create a division of traffic engineering and one to control roadway and sidewalk obstructions. The main and supplementary ordinances are accompanied by text matter explaining the purposes of the provisions, and the committee points to the great desirability of organized study of the traffic problems of each community, including sound and continuous technical advice