

## TITLE 15

### MOTOR VEHICLES, TRAFFIC AND PARKING<sup>1</sup>

#### CHAPTER

1. MISCELLANEOUS.
2. TRUCK REGULATIONS.
3. SPEED LIMITS.

#### CHAPTER 1

#### MISCELLANEOUS

#### SECTION

- 15-101. Adoption of state traffic statutes.  
 15-102. Compliance with financial responsibility law required.  
 15-103. Violations and penalty.

**15-101. Adoption of state traffic statutes.** By the authority granted under *Tennessee Code Annotated*, § 16-18-302, the city adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in *Tennessee Code Annotated*, §§ 55-8-101 to 55-8-131, and §§ 55-8-133 to 55-8-180. Additionally, the city/town adopts *Tennessee Code Annotated*, §§ 55-8-181 to 55-8-193, §§ 55-9-601 to 55-9-606, § 55-12-139, § 55-21-108, and § 55-8-199 by reference as if fully set forth in this section.

**15-102. Compliance with financial responsibility law required.**

(1) This section shall apply to every vehicle subject to the state registration and certificate of title provisions.

(2) At the time the driver of a motor vehicle is charged with any moving violation under *Tennessee Code Annotated*, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" means:

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<sup>1</sup>Municipal code reference

Excavations and obstructions in streets, etc.: title 16.

(a) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977, compiled in *Tennessee Code Annotated*, chapter 12, title 55, has been issued;

(b) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in *Tennessee Code Annotated*, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insurer under *Tennessee Code Annotated*, § 55-12-111; or

(c) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the department of safety or was owned by the United States, the State of Tennessee or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

(3) It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is punishable by a civil penalty of up to fifty dollars (\$50.00).

(4) The penalty imposed by this section shall be in addition to any other penalty imposed by the laws of this state or this municipal code.

(5) On or before the court date, the person so charged may submit physical evidence of financial responsibility at the time of the violation. If it is the person's first violation of this section and the court is satisfied that such financial responsibility, or electronic evidence pursuant to *Tennessee Code Annotated*, § 55-12-139, was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility shall be dismissed. Upon the person's second or subsequent violation of this section, if the court is satisfied that such financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. Any charge which is dismissed pursuant to this subsection shall be dismissed without costs to the defendant and no litigation tax shall be due or collected.

**15-103. Violations and penalty.** Wherever in this title an act is prohibited or is made or declared to be unlawful, the violation of any such provision shall be punishable by a civil penalty not to exceed a fifty dollar (\$50.00) fine, in addition to any administrative and/or court costs and fees.

**CHAPTER 2****TRUCK REGULATIONS****SECTION**

15-201. Definitions.

15-202. Parking limited.

15-203. Violations and penalty.

**15-201. Definitions.** (1) "Fixed load vehicle." Any vehicle not designed or used to carry, convey, or move any freight, property, article, or thing over highway and streets, except its own weight and that of any equipment, appliance, or apparatus constructed as part of, or permanently attached to the body of such vehicle where the weight of such vehicle exceeds eighteen thousand (18,000) pounds gross volume weight (loaded or unloaded). This definition includes well-drilling apparatus, cranes, portable feed mills, and other similar vehicles.

(2) "Truck." Any motor vehicle designed, used, or maintained primarily for the transportation of property exceeding fourteen thousand (14,000) pounds gross volume weight (loaded or unloaded). (1997 Code, § 15-101)

**15-202. Parking limited.** No truck or fixed load vehicle, school bus, or other vehicle which by virtue of its height, width, or weight, may constitute a hazard to the traveling public if left unattended, shall be parked and left unattended on any city street, or state, or federal highway located within the city. (1997 Code, § 15-105)

**15-203. Violations and penalty.** Wherever in this chapter any act is prohibited or is made or declared to be unlawful, the violation of such shall be punishable in accordance with the penalty provisions of § 15-103.

## CHAPTER 3

### SPEED LIMITS

#### SECTION

15-301. In general.

15-302. In school zones.

15-303. Violations and penalty.

**15-301. In general.** It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street in the City of Blaine at a rate of speed in excess of twenty (20) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (1997 Code, § 15-201)

**15-302. In school zones.** Pursuant to *Tennessee Code Annotated*, § 55-8-152, the city shall have the authority to enact special speed limits in school zones. Such special speed limits shall be enacted based on an engineering investigation; shall not be less than fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this paragraph.

In school zones where the board of mayor and aldermen has not established special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of ninety (90) minutes before the opening hour of a school, or a period of ninety (90) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving.

**15-303. Violations and penalty.** Wherever in this chapter any act is prohibited or is made or declared to be unlawful, the violation of such shall be punishable in accordance with the penalty provisions of § 15-103.