

TITLE 15**MOTOR VEHICLES, TRAFFIC AND PARKING****CHAPTER**

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15-101. Motor vehicle requirements. It shall be unlawful for any person to operate a motor vehicle within the city's corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn, and such other equipment required by *Tennessee Code Annotated*, title 55, chapter 9. (1999 Code, § 15-101)

15-102. Valid license and registration required. No person shall drive any motor vehicle upon a roadway within the city's corporate limits unless such person has and possesses a valid driver's license for the type or class of vehicle being driven and the vehicle a person is driving is properly registered under the laws of the State of Tennessee. (1999 Code, § 15-102)

15-103. Obedience to any required traffic-control device. (1) The driver of any vehicle and the operator of any streetcar shall obey the instructions of any official traffic-control device unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

(2) No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign 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 even though no signs are erected or in place. (1999 Code, § 15-104)

15-104. Driving on right side of roadway. (1) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (b) When the right half of a roadway is closed to traffic while under construction or repair;
- (c) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or
- (d) Upon a roadway designated and signposted for one-way traffic.

(2) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing

shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (1999 Code, § 15-105)

15-105. Passing vehicles proceeding in opposite directions.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one (1) line of traffic in each direction, each driver shall give to the other at least one-half (1/2) of the main-traveled portion of the roadway as nearly as possible. (1999 Code, § 15-106)

15-106. Overtaking a vehicle on the left. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

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

(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle. (1999 Code, § 15-107)

15-107. When overtaking a vehicle on the right is permitted. (1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction; and

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one (1) direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (1999 Code, § 15-108)

15-108. No-passing zones. The board of commissioners is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof. (1999 Code, § 15-109)

15-109. Driving on roadways laned for traffic. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(1) A vehicle shall be driven as nearly as 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;

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

(3) Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign; and

(4) (a) Where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five (5) or more vehicles are formed in line, shall turn or pull off the roadway wherever sufficient area exists to do so safely, in order to permit vehicles following it to proceed. As used in this § 15-109(4), a slow-moving vehicle is one (1) which is proceeding at a rate of speed which is ten (10) miles per hour or more below the lawful maximum speed for that particular roadway at that time.

(b) Any person failing to conform with the provisions of § 15-109(4)(a) shall receive a warning citation on first offense and be liable for a fine of twenty dollars (\$20.00) on second offense, and fifty dollars (\$50.00) on third and subsequent offenses.

(c) Section 15-109(4)(a) shall not apply to funeral processions nor to school buses. (1999 Code, § 15-110)

15-110. Following too closely. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

(2) The driver of any motor truck or motor vehicle towing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle towing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle towing another vehicle from overtaking and passing any like vehicle or other vehicle.

(3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision does not apply to funeral processions.

(4) No motor truck of more than one and one-half (1-1/2) ton rated capacity shall approach any other motor truck of like or greater capacity proceeding in the same direction on any of the highways of this state within the corporate limits of any municipality at a distance nearer than three hundred feet (300'), except in overtaking and passing such other trucks, or unless one (1) or both of such trucks shall have come to a stop or except in rendering assistance to a disabled or partly disabled truck. (1999 Code, § 15-111)

15-111. Operation of vehicles on approach of authorized emergency vehicles. (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the applicable laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only:

(a) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer; and

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

(2) Upon approaching a stationary authorized emergency vehicle, when such vehicle is giving a signal by use of flashing lights, a person who drives an approaching vehicle shall:

(a) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less

than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(b) Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(3) Upon approaching a stationary recovery vehicle or a highway maintenance vehicle, when such vehicle is giving a signal by use of authorized flashing lights, a person who drives an approaching vehicle shall:

(a) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to the stationary recovery vehicle or the highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(b) Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(4) For the purpose of this section unless the context otherwise requires:

(a) "Highway maintenance vehicle" means a vehicle used for the maintenance of highways and roadways in this state and is:

(i) Owned or operated by the department of transportation, a county, a municipality or other political subdivision of this state; or

(ii) Owned or operated by a contractor under contract with the department of transportation, a county, a municipality or other political subdivision of this state;

(b) "Recovery vehicle" means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles.

(5) This section shall not operate to relieve the driver of an authorized emergency vehicle, a recovery vehicle or a highway maintenance vehicle from the duty to operate such vehicle with due regard for the safety of all persons using the highway. (1999 Code, § 15-112)

15-112. Drivers to exercise due care. Notwithstanding the foregoing provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (1999 Code, § 15-113)

15-113. Limitations on backing. The driver of a vehicle shall not back such vehicle unless such movements can be made with reasonable safety and without interfering with other traffic. (1999 Code, § 15-114)

15-114. Riding on motorcycles. (1) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle, unless such motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

(2) A person shall ride upon a motorcycle only while sitting astride the seat, headlamp illuminated, facing forward, with one (1) leg on each side of the motorcycle.

(3) No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents such person from keeping both hands on the handlebars.

(4) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator. (1999 Code, § 15-115)

15-115. Obstruction to driver's view of driving mechanism. (1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding four (4), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2) No passenger in a vehicle shall ride in such position as to interfere with the driver's or operator's view ahead or to the sides, or to interfere with the driver's or operator's control over the driving mechanism of the vehicle or streetcar. (1999 Code, § 15-116)

15-116. Following fire apparatus prohibited. The driver of any vehicle other than one (1) on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1999 Code, § 15-117)

15-117. Crossing fire hose. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or streetcar track, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (1999 Code, § 15-118)

15-118. Putting glass, nails and other substances on roadway prohibited. (1) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

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

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle. (1999 Code, § 15-119)

15-119. Traffic laws apply to persons riding bicycles. Every person riding a bicycle upon a roadway is granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle. (1999 Code, § 15-120)

15-120. Riding on bicycles - playing and use of play vehicles.

(1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto, except for a certified police cyclist who is performing duties that require riding in a side dismounting position.

(2) No bicycle shall be used to carry more persons at one (1) time than the number for which it is designed or equipped.

(3) No person shall play on a highway other than upon the sidewalk thereof, within a city or town, or in any part of a highway outside the limits of a city or town, or use thereon roller skates, coasters or any similar vehicle or toy or article on wheels or a runner, except in such areas as may be specifically designated for that purpose by local authorities. (1999 Code, § 15-121)

15-121. Clinging to vehicles. (1) No person riding upon any bicycle, roller skates, sled or toy vehicle shall attach such bicycle, roller skates, sled or toy vehicle, or such person's own body, to any vehicle upon a roadway.

(2) The provisions of this section shall not be construed to prohibit the attachment of a bicycle trailer or bicycle semitrailer to a bicycle if such trailer or semitrailer is designed specifically for such purpose. (1999 Code, § 15-122)

15-122. Riding on roadways and bicycle paths. (1) (a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

(i) When overtaking and passing another vehicle proceeding in the same direction;

(ii) When preparing for a left turn at an intersection or into a private road or driveway; or

(iii) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the

right-hand curb or edge. For purposes of this section, "substandard width lane" means a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Section 15-122(1) does not apply to a certified police cyclist engaged in the lawful performance of duty relating to traffic control.

(2) (a) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two (2) abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(b) Section 15-122(2) does not apply to a certified police cyclist engaged in the lawful performance of duty relating to traffic control or in pursuit of an actual or suspected violator of the law. (1999 Code, § 15-123)

15-123. Bicycle lamps and brakes. (1) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type approved by the department of safety which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.

(2) Every bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within twenty-five feet (25') from a speed of ten miles per hour (ten (10) mph) on dry, level, clean pavement. (1999 Code, § 15-124)

15-124. Rights and duties of motorcycle operator. Every person operating a motorcycle is granted all of the rights and is subject to all of the duties applicable to the driver of any other vehicle under this chapter. (1999 Code, § 15-125)

15-125. Operation of motorcycles on laned roadways. (1) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection § 15-125(1) shall not apply to motorcycles operated two (2) abreast in a single lane.

(2) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(3) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

(4) Motorcycles shall not be operated more than two (2) abreast in a single lane.

(5) Sections 15-125(2) and 15-125(3) shall not apply to police officers in the performance of their official duties. (1999 Code, § 15-126)

15-126. Use of off-road motor vehicles on highways. Off-highway motor vehicles may be operated or driven upon a roadway but only as follows:

(1) On a two-lane roadway, only to cross such roadway at an angle of approximately ninety (90) degrees to the direction of the roadway and at a place where a quick and safe crossing may be made;

(2) With respect to the crossing of a roadway having more than two (2) lanes, or a roadway having limited access, such off-road motor vehicles may cross such roadways, but only at a place designated by the city with respect to roadways within their respective corporate limits as a place where such motor vehicles, or specified types of such motor vehicles, may cross the roadways, and such vehicles shall cross such roadways only at such designated places and only in a quick and safe manner; and

(3) The city with respect to roadways within their respective corporate limits may designate, by the erection of appropriate signs of a type approved by the department, places where such motor vehicles, or specified types of such motor vehicles, may cross any roadway having more than two (2) lanes or having limited access.

(4) Off-road motor-driven cycles may be moved, by non-mechanical means only, adjacent to a roadway, in such a manner so as to not interfere with traffic upon the roadway only for the purpose of gaining access to, or returning from, areas designed for the operation of off-road vehicles, when no other route is available. The city may designate access routes leading to off-road parks as suitable for the operation of off-road vehicles, if such access routes are available to the general public only for pedestrian and off-road motor vehicle travel. (1999 Code, § 15-127)

15-127. Transporting child in truck bed. (1) A person commits an offense who, on the streets of any municipality, roads of any county, or the highways of this state, transports a child under six (6) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter (3/4) ton and having a pickup body style.

(2) (a) A person commits an offense who, on any interstate defense highway or state highway, transports a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter (3/4) ton and having a pickup body style.

(b) A city or county may prohibit, by ordinance or resolution, a person from transporting a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton

rating not exceeding three-quarter (3/4) ton and having a pickup body style on city or county roads or highways.

(3) The provisions of this section do not apply to a person transporting such child in the bed of such vehicle when such vehicle is being used as part of an organized parade, processions, or other ceremonial event, and when such vehicle is not exceeding the speed of twenty miles per hour (20 mph).

(4) The provisions of this section do not apply when the child being transported is involved in agricultural activities. (1999 Code, § 15-128)

15-128. Excessive noise from motor vehicles. (1) No person operating or occupying a motor vehicle on any public street, highway, alley, parking lot, or driveway shall operate or permit the operation of any sound amplification system including, but not limited to, any radio, tape player, compact disc player, loud speaker, or any other electrical device used for the amplification of sound from within the motor vehicle so that the sound is plainly audible at a distance of fifty (50) or more feet from the vehicle. For the purpose of this section, "plainly audible" means any sound that clearly can be heard, by unimpaired auditory senses based on a direct line of sight of fifty feet (50') or more; however, words or phrases need not be discernible and such sound shall include bass reverberation.

(2) This section shall not be applicable to emergency or public safety vehicles, vehicles owned and operated by a municipal or county government or any utility company, for sound emitted unavoidably during a job-related operation, school or community sponsored activities, auctioneers or auctioning activities, boats or other watercrafts operated on waters or any motor vehicle used in an authorized public activity for which a permit has been granted by the appropriate agency of a municipal or county government. (1999 Code, § 15-129)

15-129. Use of safety belts in passenger vehicles. (1) (a) No person shall operate a passenger motor vehicle on any roadway in the city unless such person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

(b) No person four (4) years of age or older shall be a passenger in a passenger motor vehicle on any roadway unless such person is restrained by a safety belt at all times the vehicle is in forward motion.

(2) (a) The provisions of this section shall apply only to the operator and all passengers occupying the front seat of a passenger motor vehicle.

(b) If the vehicle is equipped with a rear seat which is capable of folding, the provisions of this section shall only apply to front seat passengers and the operator if the back seat is in the fold down position.

(3) A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of ten dollars (\$10.00) for a first violation, and twenty dollars (\$20.00) on second and subsequent violations to the clerk of the court of the city. (1999 Code, § 15-130)

15-130. Child passenger restraints. (1) Any person transporting any child, under one (1) year of age, or any child weighing twenty pounds (20 lbs.) or less, in a motor vehicle upon a road is responsible for the protection of the child and properly using a child passenger restraint system in a rear facing position, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions.

(2) Any person transporting any child, one (1) through three (3) years of age weighing greater than twenty pounds (20 lbs.), in a motor vehicle upon a roadway is responsible for the protection of the child and properly using a child passenger restraint system in a forward facing position, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions.

(3) Any person transporting any child, four (4) through eight (8) years of age and measuring less than five feet (5') in height, in a passenger motor vehicle upon a road, street or highway of Tennessee is responsible for the protection of the child and properly using a belt positioning booster seat system, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions. (1999 Code, § 15-131)

15-131. Testing or demonstrating driving skills. It is unlawful for any person to operate a motor vehicle within the boundaries of the city which includes all platted rights-of-way, for the purpose of testing or demonstrating driving skills or ascertaining certain vehicle endurance factors. The driving skills and vehicle endurance factors include, but are not limited to, testing the motor vehicles capabilities over natural, rough or muddy terrain or any other action which is normally termed "off-road riding."

(1) **Exceptions.** Property owners may operate any vehicle on their own property. Operating vehicles on private property, other than your own, is permitted only if you have, in your possession, written permission from the property owner. All emergency vehicles are exempt. Violators will be responsible for any damage to public or private property.

(2) All vehicles, operated within the boundaries of the city, which are deemed to be loud enough to disturb the peace, shall be unlawful.

(3) All platted rights-of way, including unpaved streets, are open to the public for riding or driving if this chapter and all traffic regulations are adhered to.

(4) "Motor vehicle" means every vehicle that is self-propelled, excluding motorized bicycles. (Ord. #213-8, Sept. 2013)

CHAPTER 2

PEDESTRIANS

SECTION

15-201. Walking on side of road.

15-202. Pedestrians soliciting rides or business.

15-203. Pedestrians led by guide dog or carrying identifying cane given right-of-way.

15-201. Walking on side of road. Any pedestrian walking on a roadway which does not have a sidewalk on either side shall walk on the side of the paved or graveled roadway facing oncoming traffic. (1999 Code, § 15-201)

15-202. Pedestrians soliciting rides or business. (1) No person shall stand in a roadway for the purpose of soliciting a ride or employment from the occupant of any vehicle.

(2) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway. (1999 Code, § 15-202)

15-203. Pedestrians led by guide dog or carrying identifying cane given right-of-way. Whenever any pedestrian guided by a guide dog or dog on a blaze orange leash, or carrying in any raised or extended position a cane or similar stick white in color or white tipped with red, shall undertake to cross any public street or thoroughfare in this state, the driver of each and every vehicle approaching such pedestrian carrying such cane or stick or conducted by such dog shall bring such vehicle to a complete stop and before proceeding shall take all precautions necessary to avoid injuring such pedestrian; provided, that nothing herein shall be construed as making any person totally or partially blind or otherwise incapacitated guilty of contributory negligence in undertaking to cross any street or thoroughfare without being guided by a trained dog or carrying a cane or stick of the type above mentioned. (1999 Code, § 15-203)

CHAPTER 3**SPEED LIMITS****SECTION**

15-301. General.

15-301. General. It shall be unlawful for any person to drive or operate a motor vehicle upon any roadway within the city's corporate limits at a rate of speed in excess of twenty-five (25) miles per hour except upon Harrison Ferry Road where the speed limit shall be thirty-five (35) miles per hour or where an official sign has been posted indicating another speed limit. (1999 Code, § 15-301)

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Turning movements.

15-402. Signals by hand and arm or signal device.

15-403. Signals for turns.

15-404. Required position and method of turning at intersections.

15-405. Vehicle turning left at intersection.

15-401. Turning movements. (1) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course of move right or left upon a roadway, unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner provided in §§ 15-401 and 15-402 in the event any other traffic may be affected by such movement.

(2) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal. (1999 Code, § 15-401)

15-402. Signals by hand and arm or signal device. Any turn signal shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device. (1999 Code, § 15-402)

15-403. Signals for turns. (1) Every driver who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

(2) The signal herein required shall be given by means of the hand and arm, or by some mechanical or electrical device approved by the department of safety, in the manner herein specified. Whenever the signal is given by means of the hand and arm, the driver shall indicate the intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:

(a) For left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder;

(b) For right turn, or pull to the right, the arm shall be extended upward; and

(c) For slowing down or to stop, the arm shall be extended downward.

(3) Such signals shall be given continuously for a distance of at least fifty feet (50') before stopping, turning, partly turning, or materially altering the course of the vehicle.

(4) Drivers having once given a hand, electrical or mechanical device signal, must continue the course thus indicated, unless they alter the original signal and take care that drivers of vehicles and pedestrians have seen and are aware of the change.

(5) Drivers receiving a signal from another driver shall keep their vehicles under complete control and shall be able to avoid an accident resulting from a his understanding of such signal.

(6) Drivers of vehicles, standing or stopped at the curb or edge before moving such vehicles, shall give signals of their intention to move into traffic, as hereinbefore provided, before turning in the direction the vehicle shall proceed from the curb. (1999 Code, § 15-403)

15-404. Required position and method of turning at intersections.

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

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

(2) Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection;

(3) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one (1) direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered;

(4) Local instructions. The city may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons or signs are so placed,

no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs; and

(5) Two-way left turn lanes. Where a special lane for making left turns by drivers proceeding in opposite directions has been established:

(a) A left turn shall not be made from any other lane unless a vehicle cannot safely enter the turn lane;

(b) A vehicle shall not be driven in the left turn lane except when preparing for or making a left turn from or into the roadway;

(c) A vehicle shall not use the left turn lane solely for the purpose of passing another vehicle;

(d) A vehicle shall not enter a left turn lane more than a safe distance from the point of the intended turn;

(e) When any vehicle enters the turn lane, no other vehicle proceeding in an opposite direction shall enter that turn lane if such entrance would prohibit the vehicle already in the lane from making the intended turn; and

(f) When vehicles enter the turn lane proceeding in opposite directions, the first vehicle to enter the lane shall have the right-of-way. (1999 Code, § 15-404)

15-405. Vehicle turning left at intersection. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but the driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn, and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (1999 Code, § 15-405)

CHAPTER 5

STOPPING AND YIELDING

SECTION

15-501. Vehicles must stop at stop signs.

15-502. Vehicles approaching or entering intersection.

15-503. Vehicles entering through roadway or stop intersections.

15-504. Vehicles entering public roadway from private road or driveway.

15-505. Emerging from alley, driveway or building.

15-501. Vehicles must stop at stop signs. Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver or operator has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic control signal. (1999 Code, § 15-501)

15-502. Vehicles approaching or entering intersection. (1) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.

(2) When two (2) vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right. (1999 Code, § 15-502)

15-503. Vehicles entering through roadway or stop intersections.

(1) The driver of a vehicle shall stop at the entrance to a through roadway and shall yield the right-of-way to other vehicles which have entered the intersection from the through highway or which are approaching so closely on the through roadway as to constitute an immediate hazard, but the driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection on the through roadway shall yield the right-of-way to the vehicle so proceeding into or across the through roadway.

(2) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one (1) or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

(3) (a) The driver of a vehicle who is faced with a yield sign at the entrance to a through roadway is not necessarily required to stop, but is required to exercise caution in entering the roadway and to yield the right-of-way to other vehicles which have entered the intersection from

the roadway, or which are approaching so closely on the roadway as to constitute an immediate hazard, and the driver having so yielded may proceed when the way is clear.

(b) Where there is provided more than one (1) lane for vehicular traffic entering a through roadway, if one (1) or more lanes at such entrance are designated a yield lane by an appropriate marker, this § 15-503(3) shall control the movement of traffic in any lane so marked with a yield sign, even though traffic in other lanes may be controlled by an electrical signal device or other signs, signals, markings or controls. (1999 Code, § 15-503)

15-504. Vehicles entering public roadway from private road or driveway. The driver of a vehicle about to enter or cross a roadway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the roadway. (1999 Code, § 15-504)

15-505. Emerging from alley, driveway or building. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. (1999 Code, § 15-505)

CHAPTER 6

PARKING

SECTION

- 15-601. Illegal parking zones.
- 15-602. Stopping, standing or parking outside of business or residential districts.
- 15-603. Officers authorized to remove illegally stopped vehicles.
- 15-604. Campers, motor homes, travel railers, RVs, boats and trailers, and fifth wheels.
- 15-605. Vehicle parking.
- 15-606. Cul-de-sac parking.

15-601. Illegal parking zones. It shall be unlawful for any vehicle to be parked within the city in any restricted zone or space to include, but not limited to:

- (1) An unauthorized parking space designated for the handicapped;
- (2) No parking zones; or
- (3) Fire lanes. (1999 Code, § 15-601)

15-602. Stopping, standing or parking outside of business or residential districts. (1) Upon any highway outside of a business or residential district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of the highway, but in every event an unobstructed width of the highway opposite a standing vehicle of not less than eighteen feet (18') shall be left for the free passage of other vehicles, and a clear view of such stopped vehicles shall be available from a distance of two hundred feet (200') in each direction upon such highway.

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

(b) The provisions of this section shall not apply to the driver of any vehicle operating as a carrier of passengers for hire and holding a certificate of convenience and necessity, or interstate permit issued by the department of safety or any local regulatory transit authority of Tennessee authorizing the operation of such vehicle upon the roads, streets or highways in Tennessee, while taking passengers on such vehicle, or discharging passengers therefrom; provided, that in every event an unobstructed lane of travel of the highway opposite such standing vehicle shall be left for free passage of other vehicles and a clear

view of such stopped vehicles shall be available from a distance of two hundred feet (200') in either direction upon the highway.

(c) The provisions of this section do not apply to a solid waste vehicle while on the paved or improved main traveled portion of a road, street or highway in such manner and to such extent as is necessary for the sole purpose of collecting municipal solid waste, provided, that such vehicle shall maintain flashing hazard lights at all times while it is stopping or standing; and provided further, that the vehicle is stopped so that a clear view of such stopped vehicle is available from a distance of two hundred feet (200') in either direction upon the highway. In addition to flashing hazard lights, such vehicles shall be required to maintain special lights visible from both the front and the rear indicating that the truck is stopped. The department of safety is authorized to promulgate rules and regulations regarding special lighting required by § 15-602(2)(c). The provisions of § 15-602(2)(c) do not preclude any claimant from pursuing such claimant's common law claim for recovery pursuant to common law negligence. (1999 Code, § 15-602)

15-603. Officers authorized to remove illegally stopped vehicles.

(1) Whenever any police officer finds a vehicle standing upon a roadway in violation of any of the provisions of this chapter, such officer is hereby authorized to move such vehicle, or to require the driver or other person in charge of the vehicle to move it, to a position off the paved or main-traveled part of such roadway.

(2) Whenever any police officer finds a vehicle unattended upon any bridge or roadway, where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety, at the expense of the owner. (1999 Code, § 15-603)

15-604. Campers, motor homes, travel trailers, RVs, boats and trailers, and fifth wheels. Parking is permitted on residential property provided the above-listed are parked behind the front line of the house. (Ord. #219-9, Jan. 2020, modified)

15-605. Vehicle parking. Every vehicle parked on residential property shall be operational, have tags and be street legal. (Ord. #219-9, Jan. 2020)

15-606. Cul-de-sac parking. No vehicles, boats, recreational or other personal items shall be parked in any cul-de-sac or right-of way at any time. A temporary exception may be granted for vehicle parking for special events by contacting the city manager's office. (Ord. #219-9, Jan. 2020)

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Disposal of abandoned motor vehicles.
- 15-704. Violations and penalty.

15-701. Issuance of traffic citations. When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name or address. (1999 Code, § 15-701)

15-702. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1999 Code, § 15-702)

15-703. Disposal of abandoned motor vehicles. "Abandoned motor vehicles," as defined in *Tennessee Code Annotated*, § 55-16-103, shall be impounded and disposed of by the chief of police in accordance with the provisions of *Tennessee Code Annotated*, §§ 55-16-103 to 55-16-109. (1999 Code, § 15-703)

15-704. Violations and penalty. Any violation of this title shall be a civil offense punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense, plus court costs of sixty-nine dollars (\$69.00), with the exception of illegally parking in a handicapped parking area which fine is one hundred dollars (\$100.00) in accordance with *Tennessee Code Annotated*, § 55-21-108. (1999 Code, § 15-704)

CHAPTER 8

OVERWEIGHT VEHICLES

SECTION

- 15-801. Definitions.
- 15-802. Load limits and hauling multiple loads.
- 15-803. Oversize/overweight/multiple hauling permit.
- 15-804. Truck routes.
- 15-805. Exceptions.
- 15-806. Weighing.
- 15-807. Violations and penalty.

15-801. Definitions. For the purpose of this section, the following terms, phrases, words and their derivations shall have the following meanings given herein:

- (1) "City" shall mean the City of Baneberry, Tennessee.
- (2) "Gross weight " shall mean weight of a vehicle, fully equipped and serviced for operation, including the weight of the fuel, lubricants, coolant, vehicle tools and spares, crew, personal equipment, and load.
- (3) "Multiple loads" shall mean hauling multiple loads of logs, dirt, stone etc. "Multiple loads" shall mean more than one (1) load.
- (4) "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
- (5) "Truck" shall mean any vehicle designed or operated for the transportation of property, and whose payload rating is over one (1) ton. (Ord. #213-9, Nov. 2013)

15-802. Load limits and hauling multiple loads. It shall be unlawful for any person to operate any truck on any public street or right-of-way in the city, which has a gross weight in excess of twelve (12) tons or to engage in hauling multiple loads, unless permitted by the city to do so. When a permit is required, an indemnity bond will be required to be posted with the city to cover possible damage to its streets, bridges, culverts or drainage easements, which may be damaged by the moving of said excessive weight loads or to engage in hauling multiple loads over and along these streets.

The indemnity bond of no less than fifty thousand dollars (\$50,000.00) shall remain in force and effect for a minimum of ninety (90) days from the initial execution date of the permit. The amount of the bond shall be determined by guidelines established by the city manager otherwise ordered by the reasonable consideration of the type of vehicle, the amount of excess weight, the distance to be traveled on the streets and the condition of the streets to be traveled. (Ord. #213-9, Nov. 2013)

15-803. Oversize/overweight/multiple hauling permit. A permit may be issued under the direction of the city manager for the following:

(1) Travel of trucks over city streets within the city with loads in excess of the load limits provided in § 15-802, but only when it is impossible or impractical to reduce the weight of the load or use a truck capable of hauling the load within the prescribed limit.

(2) For hauling multiple loads as described in § 15-802. Such permit shall be issued for a maximum period of ninety (90) days. The city manager or his designee, shall determine route of travel of said trucks and the amount of the bond, if any, but the amount shall not be less than fifty thousand dollars (\$50,000.00). The permit shall specify the dates of issuance and expiration, the license plate numbers of the trucks and the route of travel. A permit fee of thirty dollars (\$30.00) for the issuance of the permit shall be paid to the city by the applicant prior to issuance. (Ord. #213-9, Nov. 2013)

15-804. Truck routes. All trucks shall confine their travel within the city to the "truck route" designated by the city manager with the issuance of each permit. (Ord. #213-9, Nov. 2013)

15-805. Exceptions. This chapter shall not prohibit:

(1) The operation of emergency vehicles upon any street in the city.

(2) The operation of trucks owned or operated by the city, or contracted by the city, upon any street in the city.

(3) The operation of trucks delivering materials or supplies to a construction project.

(4) The operation of trucks for the purpose of moving household goods. (Ord. #213-9, Nov. 2013)

15-806. Weighing. Any police officer or codes enforcement officer, of the city, shall have the authority to require any person driving or in control of a truck to proceed to any public or private scale available for the purpose of weighing and determining whether this chapter has been complied with. Upon such weighing, if it is determined that the truck so weighed is in excess of the load limit, then the cost of such weighing shall be immediately due and payable by the operator of such truck and such truck may be lawfully detained by the enforcing officer until such charge has been paid. Any charge for weighing under the terms of this section shall be in addition to any fine imposed for a violation of its provisions. (Ord. #213-9, Nov. 2013)

15-807. Violations and penalty. A person violating any provision of this chapter shall be found guilty of a misdemeanor and shall be punished by a fine not to exceed the maximum amount allowed by the law that is current at the time of the violation. (Ord. #213-9, Nov. 2013)