

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

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CHAPTER 1

ADMINISTRATION, ENFORCEMENT, ETC.

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¹Municipal code references

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15-101. Application of title. (1) The provisions of this title shall apply to every driver of any vehicle, including any vehicle owned or used in the service of the United States Government, any state or any political subdivision, and it shall be unlawful for any driver to violate any provisions of this title, except as otherwise permitted in this chapter or by state or federal statute.

(2) Every person propelling any pushcart or riding an animal upon a roadway, and every person driving an animal-drawn vehicle shall be subject to the provisions of this title, except those provisions which by their very nature can have no application. (1995 Code, § 15-101)

15-102. Definitions. The following words and phrases when used in this chapter shall for the purposes of said chapter have the meanings respectively ascribed to them in this section. Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein.

(1) "Authorized emergency vehicle." Fire department vehicles, 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.

(2) "Bicycle." Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than twenty (20) inches in diameter.

(3) "Business district." The territory contiguous to and including a highway when within any six hundred feet (600') along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred feet (300') of frontage on one side or three hundred feet (300') collectively on both sides of the highway.

(4) "Commercial vehicle." Every vehicle designed, maintained or used primarily for the transportation of property.

(5) "Controlled-access highway." Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons having no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

(6) "Crosswalk." (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.

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

(7) "Curb loading zone." A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(8) "Double parking." The standing of a vehicle alongside and parallel to another vehicle which is parked parallel with the curb or the standing of a vehicle at the rear of another vehicle which is parked at an angle with the curb.

(9) "Driver." Every person who drives or is in actual physical control of a vehicle.

(10) "Freight curb loading zone." A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

(11) "Highway." The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The terms "street" and "highway" are synonymous and interchangeable.

(12) "Intersection." (a) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty feet (30') or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

(13) "Laned roadway." A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

(14) "Motor vehicle." Every vehicle which is self-propelled.

(15) "Motorcycle, motor driven cycle, motorized bicycle."

(a) "Motorcycle." Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces a motor capacity not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred and twenty-five cubic centimeters (125cc).

(c) "Motorized bicycle." A vehicle with two (2) or three (3) wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a

maximum design speed of no more than thirty (30) miles per hours on level ground.

(16) "Official time standard." Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in this city.

(17) "Official traffic control devices." All signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(18) "Park, parking." The standing of a vehicle, whether occupied or not, otherwise then temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, or in obedience of traffic regulations.

(19) "Passenger curbloading zone." A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(20) "Pedestrian." Any person afoot.

(21) "Person." Every natural person, firm, copartnership, association or corporation.

(22) "Police officer." Every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(23) "Private road or driveway." Every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner, but not by other persons.

(24) "Railroad." A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(25) "Railroad train." A steam engine, electric or other, motor vehicle, with or without cars coupled thereto, operated upon rails, except streetcars.

(26) "Residence district." The territory contiguous to and including a highway not comprising a business district.

(27) "Right-of-way." The privilege of the immediate use of the roadway.

(28) "Roadway." That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

(29) "Safety zone." The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(30) "School hours." School hours are from ninety (90) minutes prior to the opening of any school in the city on a school day until ninety (90) minutes after the opening of any school in the city on a school day, and from one (1) hour

preceding the closing of any school in the city on any school day until one (1) hour after the closing of any such school.¹

(31) "School patrol." School patrol members are those boys and or girls designated by a school principal or a school teacher or persons employed by the city, to assist in safeguarding school children when crossing the streets.

(32) "School zone." Streets adjacent to the grounds of schools and for a distance of fifty feet (50') beyond such grounds.

(33) "Sidewalk." That portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(34) "Stand, standing." The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while engaged in receiving or discharging passengers.

(35) "Stop." When required means complete cessation of movement.

(36) "Stopping." When prohibited means any halting even momentarily of a vehicle, whether occupied or not, 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.

(37) "Street, highway." The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel. The terms "street" and "highway" are synonymous and interchangeable.

(38) "Through highway." Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter.

(39) "Traffic." Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel.

(40) "Traffic control signal." Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(41) "Traffic division." The traffic division of the police department of this city. In the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this city.

(42) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices

¹Municipal code reference

Speed limits in school zones: § 15-503.

moved by human power or used exclusively upon stationary rails or tracks. (1995 Code, § 15-102)

15-103. Authority of police, fire, school patrol officers. (1) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city.

(2) Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct traffic by voice, hand or signal in conformance with traffic laws, provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

(3) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(4) During the period of time between 7:15 A.M. and 3:45 P.M. on days when the public schools are in session members of school patrols, when wearing or displaying a badge, symbol or flag furnished or approved by the police department may halt traffic at street intersections and at crosswalks where school children are crossing or appear ready to or about to cross a street.

(5) No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer, fire department official or school patrol member. (1995 Code, § 15-103)

15-104. General requirements for traffic control signs, etc. All traffic control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways,¹ published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the city. (1995 Code, § 15-104, modified)

15-105. Unauthorized traffic control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control sign, signal, marking, or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any

¹This manual may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D.C. 20402.

official traffic control sign, signal, marking, or device or any railroad sign or signal. (1995 Code, § 15-105)¹

15-106. Presumption with respect to traffic control signs, etc.

When a traffic control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper city authority. (1995 Code, § 15-106)

15-107. Operators to obey directions, signals, signs and devices.

Drivers or operators of vehicles and pedestrians shall observe and obey all directions, orders and signals given by every official or other person lawfully engaged in directing or controlling traffic upon any street or other public place in this city, and shall likewise observe and comply with all signals, signs, guides and devices provided for in this chapter or lawfully installed or placed for the purpose of directing or controlling traffic parking.

The direction or instruction of a police officer or other person lawfully directing traffic shall supersede the other provisions of this chapter regulating traffic. (1995 Code, § 15-107)

15-108. City traffic engineer. (1) Chief of police may serve. The office of city traffic engineer is hereby established. In the absence of a full-time traffic engineer the chief of police shall serve as city traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this chapter.

(2) Duties. It shall be the general duty of the city traffic engineer to determine the installation and proper timing and maintenance of traffic control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions, to plan the operation of traffic on the streets and highways of this city and to cooperate with other city officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by ordinances of this city. (1995 Code, § 15-108)

15-109. Temporary traffic regulations; testing traffic control devices.

(1) Authority of chief of police; limitation. The chief of police is hereby empowered to make regulations necessary to make effective the provisions of the traffic laws of this city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

¹Municipal code reference

Similar provisions governing traffic signs: title 14, chapter 4.

(2) Authority of traffic engineer. The city traffic engineer may test traffic control devices under actual conditions of traffic. (1995 Code, § 15-109)

15-110. Citations and arrests for traffic violations. (1) Issuance of traffic citations.¹ 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 the 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.

(2) Arrests. (a) Any person arrested by a police officer for violating a traffic law shall be taken before a judge of the city court or before a clerk of such court for the posting of an appearance bond guaranteeing the appearance of such person before the city court to answer the charge for which arrested.

(b) The arresting officer in all cases will deliver to the person arrested a citation on a form provided by the city recorder setting forth the violation for which the arrest was made and citing the arrested party to appear and answer the charge against him in the city court of the City of Jackson at a time at least forty-eight (48) hours after the alleged violation specified in the citation.

(3) Deposit of driver license in lieu of bail. (a) Deposit allowed. Whenever any person lawfully possessing a classified drivers license theretofore issued to him by the Tennessee Department of Safety, or under the driver licensing laws of any other state or territory or the District of Columbia, is issued a citation or arrested and charged with the violation of any city ordinance or state statute regulating traffic, the violation of which calls for the mandatory revocation of a drivers license for any period of time, such person shall have the option of depositing his drivers license with the officer or court demanding bail in lieu of any other security required for his appearance in the city court in answer to such charge before said court.

(b) Receipt to be issued. Whenever any person deposits his chauffeur's or operator's license as provided, either the officer or the court demanding bail as described above, shall issue the person a receipt for the license upon a form approved or provided by the department of safety.

¹State law reference

Tennessee Code Annotated, § 7-63-101, et seq.

(c) Failure to appear -- disposition of license. In the event that any driver who has deposited his chauffeur's or operator's license in lieu of bail fails to appear in answer to the charges filed against him, the clerk or judge of the city court accepting the license shall forward the same to the Tennessee Department of Safety for disposition by said department in accordance with provisions of Tennessee Code Annotated, § 55-50-803, et seq. (1995 Code, § 15-110)

15-111. Forms, records of traffic citations and arrests.

(1) Issuance to officers. (a) The city recorder shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances in the city court. The books shall include serially numbered sets of citations in quadruplicate in the form prescribed and approved jointly by the mayor and the chief of police.

(b) The city recorder shall issue such books to the chief of police or his duly authorized agent and shall maintain a record of every book so issued and shall require a written receipt for every such book.

(c) The chief of police shall be responsible for the issuance of such books to individual members of the police department. The chief of police shall require a written receipt for every book and each set of citations contained therein.

(2) Disposition of forms, records of traffic citations and arrests.

(a) Disposition of original, duplicate citations. Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic laws of this city shall deposit the original and a duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the city court of this city and the duplicate copy to the central records section of the police department. The second duplicate copy of the citation shall be retained in the traffic citation book and shall be delivered by such superior officer to the city recorder together with such book when all traffic citations therein have been used.

(b) Trial. Upon the filing of such original citation in the city court, the citation may be disposed of only by trial in the court or by other official action of the court.

(c) Copies to chief of police. The chief of police shall require the return to him of each traffic citation and all copies thereof, except that copy required to be retained in the book as provided herein, which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.

(d) Record of disposition. The chief of police shall also maintain or cause to be maintained in connection with every traffic citation issued by a member of the police department a record of the disposition of the charge by the city court or its traffic violations bureau.

(e) Record of warrants. The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the city judge or by any other court on the traffic violation charges and which are delivered to the police department for service, and of the final disposition of all such warrants.

(f) Altering, defacing documents. It shall be unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter, deface, or cancel a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint or warrant, in a manner other than as required in this section. (1972 Code, §§ 18-56, 18-57)

15-112. Illegal parking citations. (1) Issuance of citations. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinance or by state law the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the city recorder, for the driver to answer to the charge against him within forty-eight (48) hours at a place specified in the citation.

(2) Failure to obey citation. If a violator of the restrictions on stopping, standing or parking under the traffic laws of the State of Tennessee or the traffic ordinances of the City of Jackson does not appear in response to a citation affixed to such motor vehicle within a period of forty-eight (48) hours, the city recorder will ensure a letter is sent to the owner of the motor vehicle to which the traffic citation was affixed informing him/her of the violation. Such letter will also provide notice to the owner of the motor vehicle that failure to respond to the traffic or parking citation within thirty (30) days will result in the initiation of all legal efforts by the city to enforce the citation, including but not limited to, the utilization of the services of a collection agency for the purpose of recovering the fine(s) and cost(s) owed.

(3) Presumption. (a) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(b) The foregoing presumption shall apply only when the procedure prescribed in this section has been followed. (1995 Code, § 15-112, as amended by Ord. #2013-003, June 2013)

15-113. Records of traffic violations. (1) Police department. The police department shall keep a record of all violations of the traffic laws of this city or of the state vehicle laws with which any person has been charged, together with a record of the final deposition of all such alleged offenses.

(2) Contents. Such record shall be so maintained as to show all types of violations and the total of each.

(3) To be five-year records. The record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

(4) Records to be numbered. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

(5) Records to be public. All such records and reports shall be public records. (1995 Code, § 15-113)

15-114. Impounding of motor vehicles. (1) Who may impound. Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department or otherwise maintained by the city under the circumstances hereinafter enumerated:

(a) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.

(b) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are physically incapacitated to such an extent as to be unable to provide for its custody or removal.

(c) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(d) Any vehicle left in any parking space on the streets of the city for a period of ten (10) days without being moved.

(2) Notice. Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to the owner of the fact of the removal and the reasons therefor and of the place to which the vehicle has been removed. In the event any the vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of the garage.

(3) Report to state. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the

owner as hereinabove provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then the officer shall immediately send or cause to be sent a written report of such removal by mail to the motor vehicle division of the state department of finance and taxation, and shall file a copy of the notice with the proprietor of any public garage in which the vehicle may be stored. The notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for the removal and the name of the garage or place where the vehicle is stored. (1995 Code, § 15-114)

15-115. 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 police department in accordance with the provisions of Tennessee Code Annotated, §§ 55-16-103 through 55-16-109. (1995 Code, § 15-115)

CHAPTER 2

TRUCK AND COMMERCIAL VEHICLE REGULATION, ETC.

SECTION

- 15-201. Height, width regulations for vehicles.
- 15-202. Maximum load limits.
- 15-203. Limits on truck traffic on certain streets.
- 15-204. Truck routes.
- 15-205. Commercial vehicles prohibited from using certain streets.

15-201. Height, width regulations for vehicles. It shall be unlawful for any person to operate upon any street or alley of the city any vehicle whose -width or whose height exceeds the width and height provisions of Tennessee Code Annotated, § 55-7-202, unless he shall first obtain a permit from the chief of police of the City of Jackson. The chief shall issue such a permit only upon a written application which reasonably establishes that such an operation can and probably will be accomplished without injury or damage to any person or property. The application must be submitted at least three (3) days in advance of the contemplated operation, must be in such form as prescribed by the chief of police, and must be accompanied by an indemnity bond in the amount of one thousand dollars (\$1,000.00), which indemnity bond shall inure to the benefit of any person who suffers personal injury or property damage as a result of such vehicle's operation and for which the permittee is found to be liable. (1995 Code, § 15-201, modified)

15-202. Maximum load limits. The city engineer is hereby authorized to determine the maximum load limit allowable on the city streets, such maximum load limit to mean the gross weight of any vehicle including its load. In establishing such limits, the city engineer will determine the maximum gross weight which may be moved upon a city street without damage to that street and shall consider all pertinent factors including age of street, subgrade, base, surfacing, drainage, culverts, bridges and similar factors. When, in the opinion of the engineer, it is necessary to establish a maximum load limit for the protection of a street, a clearly marked sign shall be erected at both ends of such street setting forth (1) the maximum permissible weight on the street and (2) the fact that the use of the street by vehicles of greater gross weight is prohibited. Following the erection of such sign, it shall be unlawful for any vehicle of a greater gross weight to use such city street. (1995 Code, § 15-202)

15-203. Limits on truck traffic on certain streets. The city council, with the approval of the Jackson planning commission, may, and is hereby authorized, to designate by resolution such city streets as, in their opinion,

require the limiting of truck traffic thereon and meet the criteria established below for the limiting of truck traffic on such streets.

In determining a need for such limitation, the city council may consider all pertinent factors thereto, including traffic, neighborhood use, alternate available routes, safety of persons, especially children, property values, esthetic values of neighborhood property, necessity of such use by trucks, and other factors. The limitation imposed upon any city street may include limitations as to size of vehicle, as to nature of service offered through the use of such vehicle, hours of use permitted or prohibited for trucks, day or days prohibited or permitted for such use.

Each such street so limited shall be marked by a clearly visible sign on either end of such street which shall clearly and accurately set forth the limitations applicable to such street. Following the posting of such signs and the passage of such resolution it shall be unlawful for any vehicle to which limitations are applicable to use such street in violation of the limitations. (1995 Code, § 15-203)

15-204. Truck routes. (1) Designation. The traffic department shall recommend to the city council such truck routes as are necessary and proper for the quick, safe and efficient movement of through truck traffic through the city and such routes may be so established by resolution of the council. Upon the passage of such resolution the routes so established shall be properly and clearly marked by visible signs indicating "truck route" and the identification of the highway route. A proper sign, clearly visible, shall be placed at each entrance to the city informing travelers that city ordinances requires trucks to follow routes while passing through the city. Thereafter all trucks en route through the city will follow such routes and will not enter upon the streets of the city.

(2) Compliance by trucks. All motor vehicles which are reasonably described as "trucks," including but not limited to pick-up trucks, tank trucks, dump trucks, trailer trucks, trucks of the Armed Forces (state and federal), and special purpose trucks, shall observe and follow marked truck routes while traveling in or through this city. When signs designating truck routes are erected it shall be a misdemeanor for any person to drive, park or tow any vehicle described herein on any street, alley or highway not marked as a truck route unless the person has legal and reasonable business which reasonably necessitates his using such vehicle on such unauthorized street, alley or highway. (1995 Code, § 15-204)

15-205. Commercial vehicles prohibited from using certain streets. When signs are erected giving notice hereof, no person shall operate any commercial vehicle exceeding the posted weight at any time upon any of the streets or parts of streets where such signs are posted, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest

the destination of the vehicle and proceeding therefrom no farther than the nearest intersection thereafter. (1995 Code, § 15-205)

CHAPTER 3**EMERGENCY VEHICLES****SECTION**

15-301. Operation of authorized emergency vehicles.

15-302. Following emergency vehicles.

15-303. Running over fire hoses, etc.

15-301. Operation of authorized emergency vehicles.¹ (1) The exemptions herein granted for an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(2) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

(3) The driver of an authorized emergency vehicle may park or stand, irrespective of the provisions of this title; proceed past a red or stop signal or stop sign, but only after slowing down to ascertain that the intersection is clear; exceed the maximum speed limit and disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1995 Code, § 15-301)

15-302. Following emergency vehicles. No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred feet (500') or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1995 Code, § 15-302)

¹Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles:
§ 15-701.

15-303. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a fireman or policeman. (1995 Code, § 15-303)

CHAPTER 4

MISCELLANEOUS RULES OF OPERATION

SECTION

- 15-401. Motor vehicle requirements.
- 15-402. Driving on streets closed for repairs, etc.
- 15-403. Reckless driving.
- 15-404. Driving under the influence.
- 15-405. One-way streets.
- 15-406. Unlaned streets.
- 15-407. Laned streets.
- 15-408. Yellow lines.
- 15-409. Driving in and through processions.
- 15-410. Riding on outside of vehicles.
- 15-411. Backing vehicles.
- 15-412. Causing unnecessary noise.
- 15-413. Vehicles and operators to be licensed.
- 15-414. Passing.
- 15-415. Delivery of vehicle to unlicensed driver, etc.
- 15-416. Driving on sidewalks, business property, etc., prohibited.
- 15-417. Boarding, alighting from moving vehicles.
- 15-418. Opening, closing vehicle doors.
- 15-419. Seating arrangements restricted.
- 15-420. Projecting loads.
- 15-421. Restriction on tractors and cleated vehicles.
- 15-422. Emblem on license plates.
- 15-423. Child passenger restraint system.
- 15-424. Following too closely.

15-401. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn, and such other equipment as is prescribed and required by Tennessee Code Annotated, title 55, chapter 9. (1995 Code, § 15-401)

15-402. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (1995 Code, § 15-402)

15-403. Reckless driving. Irrespective of the posted speed limit, no person, including operators of emergency vehicles, shall drive any vehicle in

willful or wanton disregard for the safety of persons or property. (1995 Code, § 15-403)

15-404. Driving under the influence. It is unlawful for any person to operate, or be in control of, any motor vehicle while under the influence of an intoxicant or drug. (See Tennessee Code Annotated, §§ 55-10-401, 55-10-303, and 55-10-307). (1995 Code, § 15-404, modified)

15-405. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (1995 Code, § 15-405)

15-406. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the city for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven 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. (1995 Code, § 15-406)

15-407. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes, either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (1995 Code, § 15-407)

15-408. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (1995 Code, § 15-408)

15-409. Driving in and through processions. (1) Through processions. Except when otherwise directed by a police officer, no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

(2) In processions. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. (1995 Code, § 15-409)

15-410. Riding on outside of vehicles. (1) Generally. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place, to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to persons riding in the load-carrying space of trucks.

(2) "Hitching" rides. No person riding upon any bicycle, coaster, roller skate, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (1995 Code, § 15-410)

15-411. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. Before backing any vehicle, ample warning shall be given and due care exercised by the driver of such vehicle so as to avoid injury to other vehicles or pedestrians. (1995 Code, § 15-411)

15-412. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle.

15-413. Vehicles and operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the "Tennessee Motor Vehicle Title and Registration Law" or the "Uniform Classified and Commercial Drivers Act." [Tennessee Code Annotated, § 55-50-101, et seq.] (1995 Code, § 15-413, modified)

15-414. Passing. Except when overtaking and passing on the right is permitted, the driver of a vehicle passing 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 street until safely clear of the overtaken vehicle. The driver of the overtaken vehicle shall give way to the right in favor of the

overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

When the street is wide enough, the driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

The driver of a vehicle may overtake and pass another vehicle proceeding in the same direction either upon the left or upon the right on a street of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety.

No person shall drive off the pavement or upon the shoulder of the street in overtaking or passing on the right.

When any vehicle has stopped at a marked crosswalk or at an intersection to permit a pedestrian to cross the street, no operator of any other vehicle approaching from the rear shall overtake and pass such stopped vehicle.

No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he can see that the way ahead is sufficiently clear and unobstructed to enable him to make the movement in safety. (1995 Code, § 15-414)

15-415. Delivery of vehicle to unlicensed driver, etc.

(1) Definitions. (a) "Adult" shall mean any person eighteen (18) years of age or older.

(b) "Automobile" shall mean any motor driven automobile, car, truck, tractor, motorcycle, motor driven cycle, motorized bicycle, or vehicle driven by mechanical power.

(c) "Custody" means the control of the actual, physical care of the juvenile, and includes the right and responsibility to provide for the physical, mental, moral and emotional well being of the juvenile. "Custody" as herein defined, relates to those rights and responsibilities as exercised either by the juvenile's parent or parents or a person granted custody by a court of competent jurisdiction.

(d) "Drivers license" shall mean a motor vehicle operators license or chauffeurs license issued by the State of Tennessee.

(e) "Juvenile" as used in this chapter shall mean a person less than eighteen (18) years of age, and no exception shall be made for a juvenile who has been emancipated by marriage or otherwise.

(2) It shall be unlawful for any adult to deliver the possession of or the control of any automobile or other motor vehicle to any person, whether an adult or a juvenile, who does not have in his possession a valid motor vehicle operators or chauffeurs license issued by the Department of Safety of the State of Tennessee, or for any adult to permit any person, whether an adult or a juvenile, to drive any motor vehicle upon the streets, highways, roads, avenues, parkways, alleys or public thoroughfares in the City of Jackson unless such

person has a valid motor vehicle operators or chauffeurs license as issued by the Department of Safety of the State of Tennessee.

(3) It shall be unlawful for any parent or person having custody of a juvenile to permit any such juvenile to drive a motor vehicle upon the streets, highways, roads, parkways, avenues or public ways in the city in a reckless, careless, or unlawful manner, or in such a manner as to violate the ordinances of the city. (1995 Code, § 15-415)

15-416. Driving on sidewalks, business property, etc., prohibited.

The driver of a vehicle shall not:

(1) Drive within any sidewalk area, except at a permanent or temporary driveway.

(2) Drive a vehicle from a street or alley across premises on which a filling station, store or other business concern is located, or across public property for the sole purpose of passing from one street or alley to another. (1995 Code, § 15-416)

15-417. Boarding, alighting from moving vehicles. No person shall board or alight from any vehicle while such vehicle is in motion. (1995 Code, § 15-417)

15-418. Opening, closing vehicle doors. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1995 Code, § 15-418)

15-419. Seating arrangements restricted. (1) Occupancy of front seat. No person shall drive or operate a vehicle if more than two (2) additional persons are on the front seat.

(2) "Lap" driving. While a vehicle is in motion, the operator of the vehicle shall not have in his lap any other person, adult or minor, nor shall the operator be seated in the lap of another person. (1995 Code, § 15-419)

15-420. Projecting loads. (1) Maximum width of load on passenger vehicle. No passenger vehicle shall be used for carrying any load extending beyond the left extremity of such vehicle nor extending more than six inches (6") beyond the right extremity thereof.

(2) Flags, lights at end of projecting load. Whenever the load of any vehicle is extended more than four feet (4') beyond the rear of the bed or body thereof, the vehicle operator shall see that there is displayed at the end of such load, in such position as to be clearly visible at all times from the rear of such vehicle, a red flag not less than twelve inches (12") in width and length.

Between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise there shall be displayed at the end of such load a red light plainly visible under normal atmospheric conditions at least two hundred feet (200') from the rear of such vehicle. (1995 Code, § 15-420)

15-421. Restriction on tractors and cleated vehicles. No one shall drive or operate a tractor, or a cleated vehicle, or any other vehicle upon a street, pavement or sidewalk unless the wheels are properly equipped with rubber tires or otherwise so protected that the street, highway or pavement will not be damaged. (1995 Code, § 15-421)

15-422. Emblems on license plates. No emblem or medallion or device of any kind, including but not limited to physicians emblems, shall obscure the number or any other writing on a state automobile license plate. (1995 Code, § 15-422)

15-423. Child passenger restraint system. Pursuant to the authority granted in Tennessee Code Annotated, § 16-18-302, and Tennessee Code Annotated, § 55-10-307, the city hereby adopts by reference the provisions of Tennessee Code Annotated, § 55-9-602, governing the use of child seats and child passenger restraint systems. All drivers operating vehicles with children as passengers are subject to the requirements of Tennessee Code Annotated, § 55-9-602, and will be cited to city court if found to be in violation of the law.

15-424. Following too closely. The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of other vehicles and for other traffic and road conditions. (1995 Code, § 15-424)

CHAPTER 5

SPEED LIMITS

SECTION

15-501. Speed limits established.

15-502. At intersections.

15-503. In congested areas.

15-504. In school zones.

15-501. Speed limits established. (1) Signs posted. It shall be unlawful for any person to operate or drive a motor vehicle upon any of the highways and streets of the city upon which signs to restrict speed have been erected, in excess of the maximum speed limit indicated by such sign.

(2) Signs not posted. It shall be unlawful for any person to operate or drive a motor vehicle upon any of the highways and streets of the city upon which signs to restrict speed have not been erected, in excess of thirty (30) miles per hour.

(3) Additional restrictions. The maximum speed limits prescribed in subsections (1) and (2) shall not apply at intersections, in school zones and congested areas where other maximum speed limits are prescribed. (1995 Code, § 115-501)

15-502. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a through street or on one regulated by traffic control signals or signs which stop or require traffic to yield on the intersecting streets. (1995 Code, § 15-502)

15-503. In congested areas. It shall be unlawful for any person to operate or drive a motor vehicle through any congested area at a rate of speed in excess of fifteen (15) miles per hour when official signs indicating such speed limit have been posted by the chief of police. (1995 Code, § 15-503)

15-504. 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 city council 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. (1995 Code, § 15-503)

CHAPTER 6

TURNING MOVEMENTS

SECTION

15-601. Generally.

15-602. Right turns.

15-603. Left turns on two-way roadways.

15-604. Left turns on other than two-way roadways.

15-605. U-turns.

15-601. Generally. No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his intention in accordance with the requirements of the state law.¹ (1995 Code, § 15-601)

15-602. 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. (1995 Code, § 15-602)

15-603. 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 center line thereof and by passing to the right of the intersection of the center lines of the two (2) roadways. (1995 Code, § 15-603)

15-604. 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. (1995 Code, § 15-604)

15-605. U-turns. U-turns are prohibited upon any streets of the city. (1995 Code, § 15-605)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 7**STOPPING AND YIELDING****SECTION**

- 15-701. Upon approach of authorized emergency vehicles.
- 15-702. When emerging from alleys, etc.
- 15-703. To prevent obstructing an intersection.
- 15-704. At railroad crossings.
- 15-705. At "stop" signs.
- 15-706. At "yield" signs.
- 15-707. At traffic control signals generally.
- 15-708. At flashing traffic control signals.
- 15-709. At pedestrian control signals.
- 15-710. Stops to be signaled.
- 15-711. Obstructing intersections prohibited.

15-701. Upon approach of authorized emergency vehicles.¹ Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, the driver of every other vehicle 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. (1995 Code, § 15-701)

15-702. When emerging from alleys, etc. The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto any sidewalk or street. They shall not proceed to drive onto the sidewalk or street until they can safely do so without colliding or interfering with approaching pedestrians or vehicles. (1995 Code, § 15-702)

15-703. To prevent obstructing an intersection. No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic control signal indication to proceed. (1995 Code, § 15-703)

¹Municipal code reference

Special privileges of emergency vehicles: title 15, chapter 3.

15-704. At railroad crossings. (1) Stop required. Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen feet (15') from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

(a) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.

(b) A crossing gate is lowered or a human flagman signals the approach of a railroad train.

(c) A railroad train is approaching within approximately one thousand five hundred feet (1,500') of the highway crossing and is emitting an audible signal indicating its approach.

(d) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.

(2) Driving under or around barriers. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed. (1995 Code, § 15-704)

15-705. At "stop" signs. (1) Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a "stop" intersection indicated by 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 has a view of approaching traffic on the intersecting roadway before entering the intersection.

(2) Such driver after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding. (1995 Code, § 15-705)

15-706. At "yield" signs. (1) The driver of a vehicle approaching a "yield" sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. The driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, that a driver who enters a "yield" intersection without stopping and has or causes a collision with a pedestrian in a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. The foregoing shall not relieve the drivers of other vehicles approaching the intersection at

such distance as not to constitute an immediate hazard from the duty to drive with due care to avoid a collision.

(2) The driver of a vehicle approaching a "yield" sign if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. (1995 Code, § 15-706)

15-707. At traffic control signals generally. Traffic control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow alone, or "Caution":

(a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(3) Steady red alone, or "Stop":

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone. Provided, however, that generally a right turn on a red signal shall be permitted at all intersections within the city, provided that the prospective turning car comes to a full and complete stop before turning and that the turning car yields the right of way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, said turn shall not endanger other traffic lawfully using said intersection. A right turn on red shall be permitted at all intersections except those clearly marked by a "No Turns On Red" sign, which may be erected by the city at intersections which the city decides require no right turns on red in the interest of traffic safety.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(4) Steady red with green arrow:

(a) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(5) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1995 Code, § 15-707)

15-708. At flashing traffic control signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the city it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

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

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-704 of this code. (1995 Code, § 15-708)

15-709. At pedestrian control signals. Wherever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" have been placed or erected by the city, such signals shall apply as follows:

(1) Walk. Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) Wait or Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing. (1995 Code, § 15-709)

15-710. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,¹ except in an emergency. (1995 Code, § 15-710)

15-711. Obstructing intersections prohibited. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed (1995 Code, § 15-711)

¹State law reference
Tennessee Code Annotated, § 55-8-142(b).

CHAPTER 8

PARKING

SECTION

- 15-801. Unattended vehicles.
- 15-802. Angle parking.
- 15-803. Occupancy of more than one space.
- 15-804. Where prohibited.
- 15-805. Loading and unloading zones.
- 15-806. On one way roadways.
- 15-807. On and in narrow streets and alleys.
- 15-808. Parking vehicle for display or repair.
- 15-809. Buses, taxicabs.
- 15-810. Loading, unloading passengers and materials at bus and taxicab stands and passenger and freight loading areas restricted.
- 15-811. Lights on parked vehicles.
- 15-812. Parking truck and trailers in certain areas restricted.
- 15-813. Presumption with respect to illegal parking.
- 15-814. Enforcement of disabled parking laws by volunteers.
- 15-815. Downtown parking permit.

15-801. Unattended vehicles. No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street. (1995 Code, § 15-801)

15-802. Angle parking. On those streets which have been signed or marked by the city for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings with the front of the vehicle nearest to the curb. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four feet (24'). (Ord. #2007-015, April 2007)

15-803. Occupancy of more than one space. No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one (1) such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (1995 Code, § 15-803)

15-804. Where prohibited. No person shall park a vehicle in violation of any sign placed or erected by the state or city, except as provided by § 15-814.

- (1) On a sidewalk or between the curb and adjacent sideway; provided, however, a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of pedestrian or other traffic.
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within fifteen feet (15') of a fire hydrant;
- (5) Within a pedestrian crosswalk;
- (6) Within twenty feet (20') of a crosswalk at an intersection;
- (7) Within thirty feet (30') upon the approach of any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (8) Within fifty feet (50') of the nearest rail of a railroad crossing;
- (9) Within twenty feet (20') of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five feet (75') of such entrance when properly signposted;
- (10) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (12) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (13) On any street or alley where, on account of its width or on account of a previously parked vehicle or other obstruction, such stopping or parking would interfere with the free and easy passage of other vehicles through such street or alley.
- (14) In a "no parking" zone.
- (15) In a bus stop, except buses.
- (16) In a taxi stand, except taxis for which it is reserved.
- (17) In a safety zone, or between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
- (18) In a parking space clearly identified by an official sign as being reserved for the physically handicapped, unless, however, the person driving the vehicle is (a) physically handicapped, or (b) parking such vehicle for the benefit of a physically handicapped person. A vehicle parking in such a space shall display a certificate of identification or a disabled veteran's license plate issued under Tennessee Code Annotated, title 55, chapter 21.
- (19) Blocking traffic lane;
- (20) Within eight feet (8') of a mailbox Monday through Saturday, 7:00 A.M. until 5:00 P.M., except on federal holidays;
- (21) More than twelve inches (12") from the curb. (Ord. #2001-051, Nov. 2001, as amended by Ord. #2007-014, April 2007)

15-805. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or

unloading of passengers or merchandise in any place marked by the city as a loading and unloading zone. (1995 Code, § 15-805)

15-806. On one way roadways. On streets and highways within the city where traffic is restricted to one (1) direction, no person shall stand or park a vehicle upon the left-hand side of such one-way street or highway, unless signs have been erected that permit such standing or parking.

This section shall apply to streets and highways that include two (2) or more separate roadways upon which traffic is designated to travel in opposite directions, whether or not such streets or highways are divided. (1995 Code, § 15-806)

15-807. On and in narrow streets and alleys. No person shall park any vehicle on a street or within an alley in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway or alley for the free movement of vehicular traffic. (1995 Code, § 15-807)

15-808. Parking vehicle for display or repair. No person shall park a vehicle upon a roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency. (1995 Code, § 15-808)

15-809. Buses, taxicabs. (1) Buses. (a) Bus stands. The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) Passenger loading zones, bus stops. The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their luggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) Entry into bus stops, bus stands, passenger zones. The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen inches (18") from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(2) Taxicabs. The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking

regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers. (1995 Code, § 15-809)

15-810. Loading, unloading passengers and materials at bus and taxicab stands and passenger and freight loading areas restricted.

(1) At bus, taxicab stands. No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

(2) At passenger curb loading zones. No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes.

(3) At freight curb loading zones. (a) Vehicles generally. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

(b) Passenger vehicles. The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor used for the transportation of materials which is waiting to enter or about to enter such zone. (1995 Code, § 15-810)

15-811. Lights on parked vehicles. (1) To be dimmed. Any lighted headlights upon a parked vehicle shall be dimmed or depressed.

(2) Parking lights for non-motor vehicles. Every non-motor vehicle operating or standing in the streets shall, being parked as required herein, during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred feet (200'), be equipped with a light visible from both the front and rear of such vehicle. This light shall be on the side of the vehicle that is nearest to the center of the street. (1995 Code, § 15-811)

15-812. Parking trucks and trailers in certain areas restricted. No truck larger in size than a panel truck shall be parked or left standing on

any sidewalk, street, alley or other public area within the City of Jackson except for the period of time necessary for the loading and unloading of such vehicle and the transaction of business incident thereto. It shall be the duty of the operator and of the owner of such prohibited vehicle to park such vehicle when not in use upon privately provided off-street parking areas.

No trailer shall be parked or left standing on any sidewalk, street, alley, or other public place within the City of Jackson unless such trailer is attached or fastened to a tractor, truck, automobile or other motor vehicle with sufficient motive power to easily and quickly move and haul it away. (1995 Code, § 15-812)

15-813. Presumption with respect to illegal parking. Whenever a person is arrested for the violation of a parking ordinance or regulation of the city, proof of the registration of the motor-propelled vehicle involved in the name of the person shall be prima facie evidence of the ownership of such motor-propelled vehicle by the person in whose name the vehicle is registered. This proof of registration shall likewise be prima facie evidence that the motor vehicle was parked by the owner. (1995 Code, § 15-803)

15-814. Enforcement of disabled parking laws by volunteers. The chief of police, pursuant to the provisions of Tennessee Code Annotated, § 55-21-110 is authorized to appoint volunteers to issue citations for violations of the disabled parking laws of Tennessee Code Annotated, § 55-21-108 and § 15-804(18) of this code. (Ord. #1998-006, Feb. 1998)

15-815. Downtown parking permit. (1) Residency required. Each lessee of an apartment in a building where the principal use is residential may be issued parking permits for use on the lessee's personal vehicle.

Each permit holder may park in the downtown on street parking spaces without adhering to the one (1) hour, or longer, parking restrictions imposed by signage.

(2) Issuance of city permit. The Jackson Police Department shall be the issuing authority. Each lessee requesting permits must be registered in a book prepared for this purpose. Each vehicle so registered shall be assigned an individual number, listing lessee's name, address, apartment number, vehicle make, model, color and license number.

(3) Display of permit. Each permit issued shall be affixed to the registered vehicle on the inside of the rear windshield, in the lower right side so as to be clearly visible from the rear of said vehicle. Each permit shall be permanently affixed to the vehicle for which issued and shall not be covered by any means.

(4) Term of permit. Each parking permit so issued shall expire when the Jackson city sticker on the license plate expires.

Effective November 6, 2001, each lessee applying for the issuance of a parking permit must present a valid receipt for the current license plate and Jackson city sticker for the vehicle for which permit is requested.

A photocopy will be made of receipt and attached to permit form and placed on file at the Jackson Police Department.

(5) Permit not transferable. Downtown apartments parking permits shall not be transferable. (Ord. #2001-052, Nov. 2001, as amended by Ord. #2016-006, May 2016)

CHAPTER 9

PARKING METERS

SECTION

- 15-901. Parking meter zones established.
- 15-902. Installation of meters.
- 15-903. Parking spaces.
- 15-904. Operation of meters.
- 15-905. Time limits.
- 15-906. Presumption of unlawful parking when meter expired.
- 15-907. Tampering with meters; slugs.
- 15-908. Parking in space after time has expired.
- 15-909. Use of meter revenue.
- 15-910. Designation of new areas.
- 15-911. Official parking meter tokens.

15-901. Parking meter zones established. The following are hereby declared to be parking meter zones within the city, and for the privilege of parking therein the charges as set forth are hereby levied.

Zone 1

Within zone 1, for the privilege of parking, there is established a charge of five cents (\$0.05) for each thirty (30) minutes, ten cents (\$0.10) for one (1) hour with a maximum of two (2) hours.

The following streets are hereby established and declared to be within zone 1 as set forth above:

The east and west sides of Highland Avenue from the north margin of Baltimore Street north to the south margin of College Street.

The east and west sides of Liberty Street from the north margin of Baltimore Street north to the south margin of College Street.

The east and west sides of Church Street from the north margin of Baltimore Street to the south margin of College Street.

The north side of College Street from the east margin of the College Street-Highland Avenue Parking Garage property east to the west margin of Church Street.

The north and south sides of Lafayette Street from the east margin of Shannon Street to the west margin of Cumberland Street.

The north and south sides of Main Street from the east margin of Shannon Street to the west margin of Cumberland Street.

Zone 2

Within zone 2, for the privilege of parking, there is established a charge of five cents (\$0.05) for each thirty (30) minutes, ten cents (\$0.10) for one (1) hour with a maximum of two (2) hours.

The following streets are hereby established and declared to be within zone 2 as set forth above:

The north side of College Street from the east margin of Church Street to the west margin of Cumberland Street.

The north and south sides of Lafayette Street from the Illinois Central Railroad to the west margin of Shannon Street.

The north and south sides of Main Street from the east margin of West Alley to the west margin of Shannon Street.

The north and south sides of Baltimore Street from the east margin of West Alley to the west margin of Cumberland Street.

The east and west sides of Shannon Street from the north margin of Chester Street to the south margin of College Street.

The east and west sides of Market Street from the north margin of Chester Street to the south margin of Baltimore Street.

The east and west sides of Liberty Street from the north margin of Chester Street to the south margin of Baltimore Street.

The east and west sides of Church Street from the north margin of Chester Street to the south margin of Baltimore Street.

Zone 3

Within zone 3, for the privilege of parking, there is established a charge of ten cents (\$0.10) for one (1) hour with a maximum of two (2) hours.

The following streets are hereby established and declared to be within zone 3 as set forth above:

The north and south sides of Chester Street from the east margin of West Alley to the west margin of Church Street.

The north side of Chester Street from the east margin of Church Street to the west margin of Cumberland Street.

The east and west sides of Shannon Street from the south margin of Chester Street to the north margin of Sycamore Street.

The east and west sides of Highland Avenue from the south margin of Chester Street to the north margin of Sycamore Street.

The east and west sides of Liberty Street from the south margin of Chester Street to the north margin of Sycamore Street.

The east and west sides of Church Street from the south margin of Chester Street to the north margin of Sycamore Street.

Zone 4

Within zone 4 for the privilege of parking, there is established a charge of five cents (\$0.05) for one (1) hour with a maximum of ten (10) hours.

The following streets are hereby established and declared to be within zone 4 as set forth above:

All of the city parking lot located at the intersection of College Street and Highland Avenue.

Zone 5

Within zone 5 for the privilege of parking, there is established a charge of fifteen cents (\$0.15) for the first hour and five cents (\$0.05) for each additional hour.

The following streets are hereby established and declared to be within zone 5 as set forth above:

Zone 5 shall consist of all parking areas within the area bounded on the south by East Main Street, on the north by East Lafayette Street; on the east by the property of South Central Bell Telephone Company and on the west by the property of Larry Casey; all parking areas within the area bounded on the south by West Baltimore Street, on the north by West Main Street, and on the west by the drive-in branch of the First American National Bank, and on the east by Walker's Service Center. (1995 Code, § 15-901)

15-902. Installation of meters. (1) In each parking meter zone, parking meters shall be installed for the purpose of, and in such numbers and at such places as in the judgment of the city council may be necessary for the regulation, control and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles.

(2) Parking meters shall be installed within or near the curb line immediately adjacent to the individual parking meter spaces hereinafter described and each parking meter shall be so constructed and adjusted as to show when properly operated a signal which shall clearly indicate whether the time limit during which parking in that space is permitted has expired. (1995 Code, § 15-902)

15-903. Parking spaces. The mayor shall have lines or markings painted upon the curb or street adjacent to each parking meter, designating the parking space for which the meter is to be used and each vehicle parked adjacent to any parking meter shall park within such lines or markings. It shall be unlawful to park any vehicle across any such line or marking or to park the vehicle in such a position that it shall not be entirely within the space designated by such lines, or markings. (1995 Code, § 15-903)

15-904. Operation of meters. It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his name or operated or controlled by him to be upon any street within a parking meter zone in any space adjacent to which a parking meter is installed at any time during which the meter is showing a signal indicating that such space is illegally in use, other than such time as is necessary to operate the meter to show legal parking, between the hours of 8:00 A.M. and 6:00 P.M. of any day except Sundays and the following national holidays: January 1, February 22, May 30, July 4, the 1st Monday in September, November 11, the fourth Thursday in November, and December 25. (1995 Code, § 15-904)

15-905. Time limits. For the privilege of parking in a properly designated parking space within the various zones any person operating said vehicle and parking same shall deposit the specified amounts in proper coin or coins or official parking meter token issued by the city in the parking meter applicable to such space and any person, firm or corporation parking a vehicle in a duly designated parking space who fails to deposit the proper coin or coins as specified shall be guilty of a misdemeanor. (1995 Code, § 15-905)

15-906. Presumption of unlawful parking when meter expired. The fact that the timing device on any parking meter is not in operation shall be presumptive evidence as to a parked vehicle when found in the parking meter space regulated by such parking meter that the owner or driver failed to deposit or to cause to be deposited the required coin or coins or official parking meter tokens issued by the city in the meter and the mechanical indication by such meter of a "violation" shall be presumptive evidence of unlawful parking. (1995 Code, § 15-906)

15-907. Tampering with meters; slugs. (1) It shall be unlawful for any unauthorized person to open, or for any reason to deface, injure, tamper with, or willfully break, destroy, or impair the usefulness of any parking meter installed pursuant to this chapter, or to hitch any animals thereto.

(2) It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for coin of the United States, except official parking meter coins issued by the city. (1995 Code, § 15-907)

15-908. Parking in space after time has expired. No vehicle shall remain in a parking space longer than the maximum time established for the respective zone regardless of whether or not the parking meter indicates violation or not. (1995 Code, § 15-908)

15-909. Use of meter revenue. The revenue received from such parking meters for the privilege of parking shall be used for paying the costs of meters, the control and supervision of parking for the improvement of traffic and

in any other way determined by the city council to be in the public interest in the providing of additional parking in aid of traffic control. (1995 Code, § 15-909)

15-910. Designation of new areas. Upon a determination by the mayor that a particular area is exceptionally congested by short-time parking, such area may be designated by the mayor as an exceptionally congested area and same shall constitute a congested area zone for which a charge of five cents (\$0.05) for thirty (30) minutes parking is hereby established with a thirty (30) minute maximum parking time in said zone. (1995 Code, § 15-910)

15-911. Official parking meter tokens. The use of official parking meter tokens within the parking meters of the city is hereby authorized, such tokens to have a comparable value for the coin of comparable size. These tokens shall have stamped thereon the seal of the city and the words: "City of Jackson, Tennessee," and only tokens bearing this seal and wording shall be lawful parking meter tokens within the city. All such tokens shall remain the property of the city and when deposited in a parking meter the same shall revert to the ownership of the city as well as the possession of the city. Parking meter tokens may be purchased from the city recorder at the same price which said tokens represent in United States coins. (1995 Code, § 15-911)

CHAPTER 10**PEDESTRIANS****SECTION**

- 15-1001. Subject to traffic control signals.
- 15-1002. Right-of-way in crosswalks.
- 15-1003. Pedestrians to use right half of crosswalks.
- 15-1004. Congregating on streets.
- 15-1005. "Jaywalking" regulated.
- 15-1006. When pedestrian does not have right-of-way.
- 15-1007. Certain crossings prohibited.
- 15-1008. Obedience to railroad signals.
- 15-1009. Walking along roadways.
- 15-1010. Soliciting rides or business.
- 15-1011. Drivers to exercise due care.

15-1001. Subject to traffic control signals. Pedestrians shall be subject to traffic control signals provided for in §§ 15-705 through 15-710 in this code. At all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter. (1995 Code, § 15-1001)

15-1002. Right-of-way in crosswalks. (1) Duty of vehicle operator. When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) Duty of pedestrian. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(3) When provisions apply. Subsection (1) shall not apply under the conditions stated in of § 15-1006(2).

(4) Approaching vehicles. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (1995 Code, § 15-1002)

15-1003. Pedestrians to use right half of crosswalks. Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (1995 Code, § 15-1003)

15-1004. Congregating on streets. People shall not congregate on a street, street corner, or sidewalk so as to interfere with the progress of either vehicular or pedestrian traffic. (1995 Code, § 15-1004)

15-1005. "Jaywalking" regulated. No pedestrians shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk. However, at intersections where traffic control signals have traffic stopped in all directions these provisions shall not apply to pedestrians crossing within the area common to both intersecting roadways. (1995 Code, § 15-1005)

15-1006. When pedestrian does not have right-of-way. (1) Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

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

(3) The foregoing rules in this section have no application under the conditions stated in § 15-1007 when pedestrians are prohibited from crossing at certain designated places. (1995 Code, § 15-1006)

15-1007. Certain crossings prohibited. (1) Adjacent intersections with traffic signals. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(2) Business district. No pedestrians shall cross a roadway other than in a crosswalk in any business district. (1995 Code, § 15-1007)

15-1008. Obedience to railroad signals. No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed. (1995 Code, § 15-1008)

15-1009. Walking along roadways. (1) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. (1995 Code, § 15-1009)

15-1010. Soliciting rides or business. (1) No person shall stand in a roadway for the purpose of soliciting a ride, employment or business 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. (1995 Code, § 15-1010)

15-1011. 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. (1995 Code, § 15-1011)

CHAPTER 11

**MOTORCYCLES, MOTOR-DRIVEN CYCLES, MOTORIZED
BICYCLES, BICYCLES****SECTION**

- 15-1101. Traffic laws apply to riders of motorcycles, motor-driven cycles, motorized bicycles and bicycles.
- 15-1102. Restrictions on carrying passengers, etc.
- 15-1103. Equipment.
- 15-1104. Riding bicycles on roadways, bicycle paths and sidewalks, etc.
- 15-1105. Riding motorcycles, motor-driven cycles and motorized bicycles on sidewalks prohibited.
- 15-1106. Bicycle speed.
- 15-1107. Violation.

15-1101. Traffic laws apply to riders of motorcycles, motor-driven cycles, motorized bicycles and bicycles. Every person riding or operating a bicycle, motorcycle, motor-driven cycle or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, motor driven cycles, or motorized bicycles. (1995 Code, § 15-1101)

15-1102. Restrictions on carrying passengers, etc. (1) No person operating or riding a bicycle, motorcycle, motor-driven cycle or motorized bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

(2) No bicycle, motorcycle, motor driven cycle or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(3) No person operating a bicycle, motorcycle, motor-driven cycle or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.

(4) No person under the age of sixteen (16) years shall operate any motorcycle, motor driven cycle or motorized bicycle while any other person is a passenger upon the motor vehicle. (1995 Code, § 15-1102)

15-1103. Equipment. (1) Motorcycle, motor-driven cycle, motorized bicycle. (a) Each driver of a motorcycle, motor-driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

(b) Every motorcycle, motor-driven cycle, or motorized bicycle operated upon any public way within the corporate limits shall be equipped with a windshield or, in the alternative, the operator and any passenger on any such motorcycle, motor-driven cycle or motorized bicycle shall be required to wear safety goggles, faceshield or glasses containing impact resistant lens for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

(2) Bicycle. (a) Lamps, reflectors. 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 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 headlamps 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.

(b) Bell or horn. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet (100'), except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(c) Brake. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (1995 Code, § 15-1103)

15-1104. Riding bicycles on roadways, bicycle paths and sidewalks, etc. (1) Riding on right side. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Riding abreast. Persons riding a bicycle 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.

(3) Use of bicycle paths. Whenever a usable path for bicycles has been provided adjacent to a roadway bicycle riders shall use such path and shall not use the roadway.

(4) On sidewalks. (a) No person shall ride a bicycle upon a sidewalk within the business district.

(b) No person fifteen (15) or more years of age shall ride a bicycle upon any sidewalk in any district.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (1995 Code, § 15-1104)

15-1105. Riding motorcycles, motor-driven cycles and motorized bicycles on sidewalks prohibited. No person shall ride a motorcycle, motor-driven cycle or motorized bicycle upon any sidewalk in the city. (1995 Code, § 15-1105)

15-1106. Bicycle speed. No person shall operate a bicycle upon any street or sidewalk, bike path or any other place in the city at a speed greater than is reasonable and prudent under the circumstances. (1995 Code, § 15-1106)

15-1107. Violation. It shall be unlawful for any person to operate or ride on any vehicle in violation of this chapter, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle, motor-driven cycle or motorized bicycle in violation of this section. (1995 Code, § 15-1107)

CHAPTER 12**REGISTRATION OF VEHICLES**¹**SECTION**

- 15-1201. Required.
- 15-1202. Issuance of permit.
- 15-1203. Display of permit.
- 15-1204. Term.
- 15-1205. Registration fee.
- 15-1206. Compliance required.
- 15-1207. Penalty for violation.

15-1201. Required. No automobile, truck, motorcycle, other self-propelled vehicle, vehicle defined in TCA 55-1-104E, or trailer-type vehicle defined in TCA 55-1-105 shall be operated upon the city streets, alleys and avenues of the City of Jackson until said vehicle and its city resident owner or lessee and his or her address have been registered at the Madison County Clerk's office. Each vehicle so required shall be assigned an individual number in said register and a registration permit bearing such number shall be issued therefor as provided below. Exemptions to the above requirement include City of Jackson government and Madison County government vehicles, JEA vehicles, JTA vehicles, WTHC vehicles, SWHRA vehicles, SWTDD vehicles, vehicles owned by one hundred percent (100%) Disabled Veterans (by VA standards), and vehicles owned by wheelchair-bound handicapped individuals. (1995 Code, § 15-1201, as amended by Ord. #2017-009, August 2017)

15-1202. Issuance of permit. At the time of registration there shall be issued for each vehicle a registration permit bearing the number of registration of such vehicle, such registration permit to be of heavy gummed paper so as to be readily and easily affixed as provided below, bearing the expiration date of such permit and such other pertinent information as may be determined to be necessary by the city council. (1995 Code, § 15-1202)

15-1203. Display of permit. Each registration permit so issued, in the case of automobiles and trucks, shall be affixed by the owner of said vehicle to the license plate thereof, and in such manner as to be clearly visible from the rear of said vehicle. Each such permit shall be permanently affixed to the vehicle for which issued and shall not be obliterated or covered over by any means. Each permit so issued, in the case of motorcycles and motor scooters,

¹State law reference

Tennessee Code Annotated, § 6-55-501, et seq.

shall be affixed in a prominent manner to the vehicle for which issued in such manner as to be clearly visible from the rear of said vehicle. Permits shall not be transferable. The owner of each vehicle so registered under the provisions of this chapter shall remove all expired registration permits from his vehicle prior to affixing the current registration permit. (1995 Code, § 15-1203)

15-1204. Term. Each permit so issued under the provisions of this chapter shall be valid only up to and including the expiration date shown thereon. (1995 Code, § 15-1204, modified, as amended by Ord. #2017-009, August 2017)

15-1205. Registration fee. For the issuance of such permits and the maintaining of the registration books provided herein, there is hereby levied a fee or charge for each such registration as follows:

- (1) Automobiles and trucks: twenty-five dollars (\$25.00) per annum.
- (2) Motorcycles and motor scooters: twenty-five dollars (\$25.00) per annum. (Ord. #2005-027, Sept. 2005)

15-1206. Compliance required. It shall be unlawful for any resident person, firm or corporation to operate any vehicle, or to permit the operation of any vehicle owned by them, upon or over the streets, alleys, or avenues of the City of Jackson without first registering such vehicle and paying the fee herein provided. It shall be unlawful for any person, firm, or corporation to drive any vehicle or permit anyone else to drive any vehicle owned by them, over the streets, alleys, or avenues of the City of Jackson without displaying in the manner provided the permit required for each vehicle. (1995 Code, § 15-1206)

15-1207. Penalty for violation. Any person, firm or corporation violating any of the provisions of this chapter is hereby declared to be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifteen dollars (\$15.00) nor more than fifty dollars (\$50.00). (1995 Code, § 15-1207)

CHAPTER 13**TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM****SECTION**

- 15-1301. Definitions.
- 15-1302. Administration.
- 15-1303. Offense.
- 15-1304. Procedure.
- 15-1305. Penalty.

15-1301. Definitions. The following words, terms and phrases, when used herein, shall have ascribed to them the following meanings, except where the context clearly indicates a different meaning.

(1) "Citations and warning notices" shall mean the documents of notice of violation and shall include:

- (a) The name and address of the registered owner of the vehicle;
- (b) The registration plate number of the motor vehicle involved in the violation;
- (c) The violation charged;
- (d) The location of the violation;
- (e) The date and time of the violation;
- (f) A copy of the recorded image;
- (g) The amount of the civil penalty imposed and the date by which the civil penalty should be paid;
- (h) A sworn statement signed by an officer or contractor of the Jackson police department that based on inspection, the subject motor vehicle was being operated in violation of the applicable enumerated section(s) of the Jackson city code; and
- (i) Information advising the person alleged to be liable for violations of the enumerated section(s) of the Jackson City Code of the manner and time in which the liability alleged in the citation may be contested in city court, and warning that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

(2) "Recorded images" means images recorded by a traffic control photographic system.

- (a) On a photograph, microphotograph, electronic image, videotape, or any other medium; and
- (b) At least one (1) image or portion of tape, clearly identifying the registration plate number, or other identifying designation of the license plate, on the motor vehicle.

(3) "System location" is the approach to an intersection toward which a traffic control photographic system device, including but not limited to a photographic, video, or electronic camera, is directed and is in operation.

(4) "Traffic control photographic system" is an electronic system consisting of a photographic, video or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control sign, signal or device, and to automatically produce photographs, video or digital images of each vehicle violating a standard traffic control sign, signal, device or speed limit.

(5) "Vehicle owner" is the person identified on records maintained by the State of Tennessee and other states, departments of safety, as the registered owner of a motor vehicle. (Ord. #2005-041, Dec. 2005)

15-1302. Administration. (1) The Jackson police department shall administer the traffic control photographic and video system and shall maintain a list of all system locations where traffic control photographic systems are installed. The city may contract with third parties to perform administrative and clerical functions.

(2) No third party contractor shall have the authority to issue citations and no citations shall issue except upon review of the photographs, digital and/or video images by the Jackson Police Department. Upon review of such images by the Jackson Police Department, on each case, and upon express approval for the issuance of a citation by the Jackson Police Department, a third party contractor may perform the ministerial functions of preparing, mailing, serving and/or processing citations.

(3) Signs to indicate the use of the traffic control photographic and video system may be clearly posted in the discretion of the Jackson Police Department.

(4) All fines paid and/or collected shall be paid to the City of Jackson.

(5) The City of Jackson shall have all necessary power and authority to contractually provide for the purchase, lease, rental, acquisition and/or to enter service contracts so as to fully and necessarily implement the provisions of the traffic control photographic system authorized herein. (Ord. #2005-041, Dec. 2005)

15-1303. Offense. (1) It shall be unlawful for a vehicle to cross the stop line at a system location, in disregard or disobedience of the traffic control sign, signal or device at such location, or to otherwise violate any section of the Jackson City Code with respect to obedience to traffic lights, stop signs or traffic signals.

(2) It shall be unlawful for any vehicle to travel through a system location at a rate of speed in excess of that rate of speed established or posted for any such system location. (Ord. #2005-041, Dec. 2005)

15-1304. Procedure. (1) The city shall adopt procedures for the issuance of uniform citations and, if deemed appropriate, warning notices hereunder. Such system may include the use of third party contractors to perform ministerial tasks.

(2) A citation or warning notice so issued, alleging an offense hereunder in violation of § 15-1303 of the Jackson City Code, which is sworn to or affirmed by an official of the Jackson Police Department based on inspection of recorded images produced by the traffic control photographic system, and which includes copies of such recorded images, shall be prima facie evidence of the facts contained therein and shall be admissible in any proceeding alleging a violation hereunder.

The citation or warning notice shall be forwarded by first-class mail, postmarked not later than thirty (30) days after the date of the alleged violation, to the vehicle owner's address as given on the motor vehicle registration records maintained by the State of Tennessee Department of Safety and other states' motor vehicle registration departments. Personal delivery to or personal service of process on the owner of the vehicle is not be required.

(3) A person who receives a citation or warning notice may:

(a) Pay the civil penalty, in accordance with instructions on the citation or warning notice, directly to the city court clerk; or

(b) Elect to contest the citation for the alleged violation.

(4) Liability hereunder shall be determined based upon a preponderance of the evidence. Admission into evidence of a citation or warning notice, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:

(a) Testifies under oath in open court that he or she was not the operator of the vehicle at the time of the alleged violation; and

(b) Presents to the court prior to the return date established on the citation and warning notice a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation; or

(c) Submits to the court prior to the return date established on the citation and warning notice the owner's sworn notarized statement that the vehicle was in the care, custody or control of another person or entity at the time of the violation and accurately identifying the name and accurately stating the current address and relationship to or affiliation with the owner, of the person or entity who leased, rented or otherwise had such possession of the vehicle at the time of the alleged violation. (Ord. #2005-041, Dec. 2005)

15-1305. Penalty. (1) Any offense hereunder shall be deemed a non-criminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed. Failure to pay the civil penalty or appear in court to contest the citation or warning notice on the designated date, shall result in the imposition of the stated fine by default and assessment of court costs as otherwise provided for by the city code.

The city will establish procedures for the trial of those that elect to contest the citation and the collection of all civil penalties and court costs resulting from contested cases in which a violation is found or those from default assessments, in the nature of a debt as otherwise provided by law.

(2) All revenues generated from penalties and assessments associated with the enforcement of this ordinance shall go into the city's general fund, provided however that the mayor shall be expressly authorized to pay such administration costs as are necessarily incurred and by contract authorized in order to implement and administer this system(s) herein authorized.

(3) A violation for which a civil penalty is imposed hereunder shall not be considered a moving violation and may not be recorded by the Jackson Police Department or the Tennessee Department of Safety on the driving record of the owner or driver of the vehicle and may not be considered in the provision of motor vehicle insurance coverage.

(4) All recorded images generated by the traffic control photographic system, including, but not limited to photographs, electronic images, and videotape, shall be solely owned by the City of Jackson. (Ord. #2005-041, Dec. 2005)