

## TITLE 15

### MOTOR VEHICLES, TRAFFIC AND PARKING

#### CHAPTER

1. MISCELLANEOUS.
2. SPEED LIMITS.
3. PARKING.
4. TRUCK TRAFFIC.

#### CHAPTER 1

#### MISCELLANEOUS<sup>1</sup>

#### SECTION

15-101. Adoption of state traffic statutes.

15-102. Compliance with financial responsibility law required.

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

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

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

(2) At the time the driver of a motor vehicle is charged with any moving violation under *Tennessee Code Annotated*, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the

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<sup>1</sup>State law references

Under *Tennessee Code Annotated*, § 55-10-307, the following offenses are exclusively state offenses and must be tried in a state court or a court having state jurisdiction: driving while intoxicated or drugged, as prohibited by *Tennessee Code Annotated*, § 55-10-401; failing to stop after a traffic accident where death or injury occurs, as prohibited by *Tennessee Code Annotated*, § 55-10-101, *et seq.*; driving while license is suspended or revoked, as prohibited by *Tennessee Code Annotated*, § 55-50-504; and drag racing, as prohibited by *Tennessee Code Annotated*, § 55-10-501.

time of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" means:

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

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

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

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

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

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

## CHAPTER 2

### SPEED LIMITS

#### SECTION

- 15-201. In general.
- 15-202. At intersections.
- 15-203. On side streets.
- 15-204. In school zones.
- 15-205. In congested areas.
- 15-206. Enforcement.
- 15-207. On a portion of U.S. Highway 11-W.

**15-201. In general.** It shall be unlawful for any person to operate or drive a motor vehicle upon Highway 11W at a rate of speed in excess of forty-five (45) miles per hour except where official signs have been posted indicating other speed limits, in which cases, the posted speed limit shall apply. (1996 Code, § 15-101)

**15-202. 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 street regulated by traffic-control signals or signs which require traffic to stop or yield on the intersecting streets. (1996 Code, § 15-102)

**15-203. On side streets.** It shall be unlawful for any person to operate or drive a motor vehicle upon any side street, or Highway 92, at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which case the posted speed limit shall apply. (1996 Code, § 15-103)

**15-204. In school zones.** Pursuant to *Tennessee Code Annotated*, § 55-8-152, the city shall have the authority to enact special speed limits in school zones. Such special speed limits shall be enacted based on an engineering investigation; shall not be less than fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this paragraph.

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

are actually going to or leaving school, shall be prima facie guilty of reckless driving.)

**15-205. 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 any posted speed limit when such speed limit has been posted by authority of the municipality. (1996 Code, § 15-105)

**15-206. Enforcement.** The enforcement of this chapter shall be by any law enforcement officers, including the sheriff, sheriff's deputies, constables, Tennessee Highway Patrolmen and city police officers. (1996 Code, § 15-106)

**15-207. On a portion of U.S. Highway 11-W.** The speed limit for that portion of U.S. Highway 11-W from the bridge at Uriel Edde residence to Avondale Road and Rutledge city limits is hereby increased from forty-five (45) miles per hour to fifty (50) miles per hour. (1996 Code, § 15-107)

## CHAPTER 3

### PARKING

#### SECTION

15-301. On Main Street.

15-302. Where prohibited.

15-303. Long-term parking or keeping of cargo trailers or other containers.

**15-301. On Main Street.** Parking on Main Street, between the alley separating the property of George D. Beets and George West, and the alley separating the property of Mrs. J. H. Campbell and the property of Mr. and Mrs. H. T. Boston or the Rutledge Inn, shall be made angle parking on the south side of Main Street and parallel on the north side of Main Street in spaces designated and marked for parking. Any other method of parking or in spaces other than those designated shall constitute illegal parking.

Parking in the above designated area on Main Street shall be limited to one (1) hour between the hours of 8:00 A.M. and 6:00 P.M.

There shall not be permitted and it shall be unlawful for any person or persons to park a motor vehicle on either side of Depot Street, within the area between Main Street and Water Street.

Parking for the loading and unloading of merchandise shall be within designated spaces for said purpose.

The enforcement of this section shall be by any law enforcement officers, including the sheriff, sheriff's deputies, constables, highway troopers and city police officers.

Any violator of any portion of said section shall be warned of said violation. After the second warning, should said violation be continued or repeated, said violator or violators shall be cited before the city recorder of the said City of Rutledge, for said violation and shall be fined a sum of not less than two dollars (\$2.00), nor more than ten dollars (\$10.00) for each violation. (1996 Code, § 15-201)

**15-302. Where prohibited.** No person shall park a vehicle in violation of any sign placed or erected by the municipality, nor:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection or within fifteen feet (15') thereof.
- (4) Within fifteen feet (15') of a fire hydrant.
- (5) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
- (6) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (7) Upon any bridge.

(8) Alongside any curb painted yellow or red by the municipality.

(9) On old 11W located in the east section of city, better known as Cherry Street, or old 11W, located in the west section of city, better known as Bryan Road.

(10) Central Point Road from Highway 92, located in the south east section of city, extending to city limits.

(11) Poor Valley Road better known as Coffey Lane, from Highway 11W, extending north to city limits.

The enforcement of this section shall be by any law enforcement officers, including the sheriff, sheriff's deputies, constables, Tennessee Highway Patrolmen and city police officers.

Any violator of any portion of this section shall be warned of said violation. After the first warning, violator shall be cited to pay a fine in the sum of five dollars (\$5.00). (1996 Code, § 15-202)

**15-303. Long-term parking or keeping of cargo trailers or other containers.** (1) It shall be unlawful for any permit, on premises owned, occupied, or controlled by him, the long-term parking or keeping of cargo trailers or other containers designed or used to store, haul or transport merchandise, freight, refuse, or other materials whether used for private or commercial purposes, and all those vehicles which were converted from other uses for such purposes.

(2) Long-term shall be defined as any single period beyond thirty (30) days.

(3) An exception to this prohibition is made by permitting long-term parking or keeping of such trailers, vans or other containers which are owned by persons owning, occupying, or controlling the premises and which:

(a) Are clearly designed for private recreational use of said persons; or

(b) Have been regularly and recently (within the last thirty (30) days) driven or transported in the pursuit of the occupation or commercial enterprise of said persons. (Ord. #104, April 2009)

**CHAPTER 4****TRUCK TRAFFIC****SECTION**

15-401. Heavy truck traffic on Hodge Drive.

**15-401. Heavy truck traffic on Hodge Drive.** (1) It shall be unlawful for any person to operate upon Hodge Drive any freight motor vehicle, tractor-trailer, or semi-trailer with more than a single rear axle.

(2) Exceptions to this section include the following:

(a) Vehicles making occasional local deliveries;

(b) Emergency vehicles;

(c) School buses;

(d) Construction-related vehicles in the performance of temporary activities;

(e) Trucks owned or operated by the city, the county, other governmental entities, or any utility in the conduct of official business; and

(f) Any such truck under contract with the city, county, other governmental entity, or utility in the occasional conduct of official business.

(3) Any person violating this section shall be subject to a civil penalty not exceeding fifty dollars (\$50.00) plus court costs for each separate violation of this section. (Ord. #134, April 2017)