

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

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CHAPTER 1

MISCELLANEOUS²

SECTION

- 15-101. [Renumbered.]
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¹Municipal code reference

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

²State law reference

Under Tennessee Code Annotated, sections 55-8-101--187, 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, section 55-10-401; failing to stop after a traffic accident, as prohibited by Tennessee Code Annotated, section 55-10-101 et seq.; driving while license is suspended or revoked, as prohibited by Tennessee Code Annotated, section 55-50-504; and drag racing, as prohibited by Tennessee Code Annotated, section 55-10-501.

- 15-108. Miscellaneous traffic control signs, etc.
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- 15-121. Delivery of vehicle to unlicensed driver, etc.

15-101. [Renumbered.] This section was redesignated and amended by Ord. #96-174 (Feb. 1996), § 2, as code section 15-1001.

15-102. 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.

15-103. Reckless driving.¹ 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. (Ord. #46, Oct. 1979)

15-104. 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.

15-105. 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 town for one-way traffic.

¹See State Law concerning municipal regulation of D.U.I. at sections 55-10-303, 55-10-307, 55-10-401, of the Tennessee Code Annotated.

(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.

15-106. 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.

15-107. 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.

15-108. Miscellaneous traffic control signs, etc.¹ It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic control sign, signal, marking, or device placed or erected by the state or the town unless otherwise directed by a police officer.

It shall be unlawful for any pedestrian or the operator of any vehicle willfully to violate or fail to comply with the reasonable directions of any police officer.

15-109. 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

¹Municipal code reference

Stop signs, yield signs, flashing signals, pedestrian control signs, traffic control signals generally: sections 15-505 through 15-509.

State law reference

Tennessee Code Annotated, sections 55-8-110 through 55-8-112.

vehicles, or which hides from view or interferes with the effectiveness of any official traffic control sign, signal, marking, or device or any railroad sign or signal.

15-110. 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 town authority.

15-111. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned under the authority of the chief of police and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals.

15-112. Driving through funerals or other 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.

15-113. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any other vehicle to cling to, or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place.

15-114. Riding on outside of vehicles. 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.

15-115. 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.

15-116. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise, there shall be displayed in place of the flag a

red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle.

15-117. 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.

15-118. 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 Motor Vehicle Operators' and Chauffeurs' License Law."

15-119. 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.

15-120. Motorcycles, motor driven cycles, motorized bicycles, bicycles, etc.

(1) Definitions. For the purpose of the application of this section, the following words shall have the definitions indicated:

(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 or motorized bicycle.

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor capacity that does not 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 hour on level ground.

(2) Every person riding or operating a bicycle, motor cycle, motor driven cycle or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the town 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.

(3) 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.

(4) 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.

(5) 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.

(6) 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 said motor vehicle.

(7) 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.

(8) 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.

(9) It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, 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.

15-121. Delivery of vehicle to unlicensed driver, etc.

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

(b) "Adult" shall mean any person eighteen years of age or older.

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

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

(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 Town of Walden 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 town in a reckless, careless, or unlawful manner, or in such a manner as to violate the ordinances of the town.

CHAPTER 2

EMERGENCY VEHICLES

SECTION

15-201. Authorized emergency vehicles defined.

15-202. Operation of authorized emergency vehicles.

15-203. Following emergency vehicles.

15-204. Running over fire hoses, etc.

15-201. Authorized emergency vehicles defined. Authorized emergency vehicles shall be fire department vehicles, police vehicles, and such ambulances and other emergency vehicles as are designated by the chief of police.

15-202. 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 (500) feet 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.

¹Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles: section 15-501. Per TCA title 55, chapter 9, section 201, title 55, chapter 8, section 101, title 55, chapter 9, section 415, and title 55, chapter 8, section 132.

15-203. 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 (500) feet or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

15-204. 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.

CHAPTER 3

SPEED LIMITS

SECTION

15-301. General speed limit.

15-302. At intersections.

15-303. In school zones.

15-301. General speed limit. It shall be unlawful and a misdemeanor for any person to drive a vehicle at a speed in excess of thirty (30) miles per hour upon any road which is in and which is maintained by the Town of Walden, Tennessee, unless another speed limit is posted. Signs shall be posted at appropriate places giving notice of this speed limit.

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 but not upon returning from an emergency call, may lawfully drive said emergency vehicle in excess of said thirty (30) miles per hour speed limit, but shall drive said emergency vehicle upon the roads of Walden so as not to endanger life or property. Such provisions shall not protect such driver from the consequences of his reckless disregard for the safety of others. (Ord. #122, May 1990)

15-302. 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.

15-303. In school zones. Pursuant to Tennessee Code Annotated, section 55-8-152, the town 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 forty (40) minutes before the opening hour of a school, or a period of forty (40) 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.

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Generally.

15-402. Right turns.

15-403. Left turns on two-way roadways.

15-404. Left turns on other than two-way roadways.

15-405. U-turns.

15-401. 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

15-402. 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.

15-403. 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 roadways.

15-404. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one 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.

15-405. U-turns. U-turns are prohibited.

¹State law reference

Tennessee Code Annotated, sec. 55-8-143.

CHAPTER 5

STOPPING AND YIELDING

SECTION

- 15-501. Upon approach of authorized emergency vehicles.
- 15-502. When emerging from alleys, etc.
- 15-503. To prevent obstructing an intersection.
- 15-504. At railroad crossings.
- 15-505. At "stop" signs.
- 15-506. At "yield" signs.
- 15-507. At traffic control signals generally.
- 15-508. At flashing traffic control signals.
- 15-509. At pedestrian control signals.
- 15-510. Stops to be signaled.

15-501. 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.

15-502. 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.

15-503. 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.

15-504. At railroad crossings. Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen (15) feet from the

¹Municipal code reference

Special privileges of emergency vehicles: title 15, chapter 2.

nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

- (1) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.
- (2) A crossing gate is lowered or a human flagman signals the approach of a railroad train.
- (3) A railroad train is approaching within approximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.
- (4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.

15-505. At "stop" signs. The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection in safety.

15-506. At "yield" signs. The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted.

15-507. 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 town, 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 town at intersections which the town 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.

15-508. 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 town 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 section 15-504 of this code.

15-509. 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 town, 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.

15-510. 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.

¹State law reference

Tennessee Code Annotated, section 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606. Regulation by parking meters.
- 15-607. Lawful parking in parking meter spaces.
- 15-608. Unlawful parking in parking meter spaces.
- 15-609. Unlawful to occupy more than one parking meter space.
- 15-610. Unlawful to deface or tamper with meters.
- 15-611. Unlawful to deposit slugs in meters.
- 15-612. Presumption with respect to illegal parking.
- 15-613. Forest State Natural Area.

15-601. Generally. 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.

Except as hereinafter provided, every vehicle parked upon a street within this town shall be so parked that its right wheels are approximately parallel to and within eighteen (18) inches of the right edge or curb of the street. On one-way streets where the town has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street, and in such cases the left wheels shall be required to be within eighteen (18) inches of the left edge or curb of the street.

Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on any public street or alley within the fire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street.

15-602. Angle parking. On those streets which have been signed or marked by the town for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet.

15-603. 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 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.

15-604. Where prohibited. No person shall park a vehicle in violation of any sign placed or erected by the state or town, nor:

(1) On a sidewalk; 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) 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.

15-605. 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 town as a loading and unloading zone.

15-606. Regulation by parking meters. In the absence of an official sign to the contrary which has been installed by the town, between the hours of 8:00 A.M. and 6:00 P.M., on all days except Sundays and holidays declared by the board of mayor and aldermen, parking shall be regulated by parking meters

where the same have been installed by the town. The presumption shall be that all installed parking meters were lawfully installed by the town.

15-607. Lawful parking in parking meter spaces. Any parking space regulated by a parking meter may be lawfully occupied by a vehicle only after a proper coin has been deposited in the parking meter and the said meter has been activated or placed in operation in accordance with the instructions printed thereon.

15-608. Unlawful parking in parking meter spaces. It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked in a parking space regulated by a parking meter for more than the maximum period of time which can be purchased at one time. Insertion of additional coin or coins in the meter to purchase additional time is unlawful.

No owner or operator of any vehicle shall park or allow his vehicle to be parked in such a space when the parking meter therefor indicates no parking time allowed, whether such indication is the result of a failure to deposit a coin or to operate the lever or other actuating device on the meter, or the result of the automatic operation of the meter following the expiration of the lawful parking time subsequent to depositing a coin therein at the time the vehicle was parked.

15-609. Unlawful to occupy more than one parking meter space. It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a parking meter space or otherwise so that such vehicle is not entirely within the designated parking meter space; provided, however, that vehicles which are too large to park within one space may be permitted to occupy two adjoining spaces provided proper coins are placed in both meters.

15-610. Unlawful to deface or tamper with meters. It shall be unlawful for any unauthorized person to open, deface, tamper with, willfully break, destroy, or impair the usefulness of any parking meter.

15-611. Unlawful to deposit slugs in meters. It shall be unlawful for any person to deposit in a parking meter any slug or other substitute for a coin of the United States.

15-612. Presumption with respect to illegal parking. When any unoccupied vehicle is found parked in violation of any provision of this chapter, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking.

15-613. Forest State Natural Area. (1) Parking a vehicle at any time on Falling Water Trail or that portion of Forest Park Drive that lies north of the

southern terminus of Falling Water Trail, except in areas marked and lined for parking, is prohibited.

(2) Parking a vehicle in the area marked and lined for parking near the entrance to Falling Water Forest State Natural Area between the hours of sunset and sunrise is prohibited.

(3) Vehicles parked in violation of this chapter may be towed away on order of a Walden Police Officer. The owner of said vehicle will be responsible for towing and storage charges.

(4) Qualified groups or individuals may have these restrictions waived for specific periods by submitting a written request to the Board of Mayor and Aldermen, specifying the purpose of the requested waiver and the specific times involved. The Board of Mayor and Aldermen may by resolution delegate authority to grant said waivers to one or more of its members. The waivers shall be in writing, with a copy filed at the Town Hall. (Ord. #30, Feb. 1979)

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Illegal parking.
- 15-704. Impoundment of vehicles.
- 15-705. Disposal of abandoned motor vehicles.
- 15-706. Deposit of driver license in lieu of bail.

15-701. 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 said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the town 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.

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

15-703. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within thirty (30) days during the hours and at a place specified in the citation.

If the offense is a parking meter parking violation, the offender may, within thirty (30) days, have the charge against him disposed of by paying to the town recorder a fine of one dollar (\$1.00) provided he waives his right to a judicial hearing. If he appears and waives his right to a judicial hearing after thirty (30) days, but before a warrant for his arrest is issued, his fine shall be

¹State law reference

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

three dollars (\$3.00). For other parking violations the offender may similarly waive his right to a judicial hearing and have the charges disposed of out of court, but the fines shall be three dollars (\$3.00) within thirty (30) days and five dollars (\$5.00) thereafter, except for the violation of parking in a handicapped parking space under section 15-604 (13) of this code, for which the offender may be punished according to the general penalty provisions of this code of ordinances.

15-704. Impoundment of vehicles. Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic, or which has been parked for more than one (1) hour in excess of the time allowed for parking in any place, or which has been involved in two (2) or more violations of this title for which citation tags have been issued and the vehicle not removed. Any impounded vehicle shall be stored until the owner or other person entitled thereto claims it, gives satisfactory evidence of ownership or right to possession, and pays all applicable fees and costs of impoundment and storage, or until it is otherwise lawfully disposed of.

15-705. Disposal of abandoned motor vehicles. "Abandoned motor vehicles," as defined in Tennessee Code Annotated, section 55-16-103, shall be impounded and disposed of by the police department in accordance with the provisions of Tennessee Code Annotated, sections 55-16-103 through 55-16-109.

15-706. Deposit of driver license in lieu of bail. (1) Deposit allowed. Whenever any person lawfully possessing a chauffeur's or operator's 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 town ordinance or state statute regulating traffic, except those ordinances and statutes, the violation of which call for the mandatory revocation of a operator's or chauffeur's license for any period of time, such person shall have the option of depositing his chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his appearance in the town court of this town in answer to such charge before said court.

(2) 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, and thereafter the person shall be permitted to operate a motor vehicle upon the public highways of this state during the pendency of the case in which the license was deposited. The receipt shall be valid as a temporary driving permit for a period not less than

the time necessary for an appropriate adjudication of the matter in the town court, and shall state such period of validity on its face.

(3) 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 town 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, section 55-7-401 et seq.

CHAPTER 8

RULES OF THE ROAD

SECTION

- 15-801. Failure to obey police officer.
- 15-802. Interference with official traffic-control devices or railroad signs or signals.
- 15-803. Driving to left of center of roadway.
- 15-804. No-passing zones.
- 15-805. Driving on divided highways.
- 15-806. Vehicle entering highway from private road or driveway.
- 15-807. Overtaking and passing school or church bus--Markings--discharging passengers.
- 15-808. Putting glass, nails and other substances on highway prohibited--penalty.
- 15-809. Use of off-road vehicles on the highway.
- 15-810. Child restraint device--violations--penalty.
- 15-811. Use of safety belts in passenger vehicles.
- 15-812. Minimum speed regulation--impeding flow of traffic.
- 15-813. Headlights on motor vehicles--operation during inclement weather.
- 15-814. Multiple beam road lighting equipment--failure to dim lights.
- 15-815. Following too closely.

15-801. Failure to obey police officer. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic. (as added by Ord. #96-174, § 1, Feb. 1996)

15-802. Interference with official traffic-control devices or railroad signs or signals. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia or other part or such device, sign or signal. (as added by Ord. #96-174, § 1, Feb. 1996)

15-803. Driving to left of center roadway. (1) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

(a) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within three hundred feet (300') or such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(b) When approaching with one hundred feet (100') of or traversing any intersection or railroad grade crossing; or

(c) When the view is obstructed upon approaching within one hundred feet (100') of any bridge, viaduct or tunnel.

(2) The foregoing limitations shall not apply upon a one-way roadway. (as added by Ord. #96-174, § 1, Feb. 1996)

15-804. No-passing zones. Every driver of a vehicle shall obey the signs or markings on the roadway, where such signs or markings are in place and clearly visible to an ordinarily observant person, which indicate the beginning and ending of those portions of the highway where passing or driving to the left of the roadway is safe. (as added by Ord. #96-174, § 1, Feb. 1996)

15-805. Driving on divided highways. Whenever any highway has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a cross-over or intersection established by public authority. (as added by Ord. #96-174, § 1, Feb. 1996)

15-806. Vehicle entering highway from private road or driveway. The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway. (as added by Ord. #96-174, § 1, Feb. 1996)

15-807. Overtaking and passing school or church bus--markings--discharging passengers. (1) (a) The driver of a vehicle upon a highway, upon meeting or overtaking from either direction any school bus which is stopped on the highway for the purpose of receiving or discharging any school children, shall stop the vehicle before reaching such school bus, and the driver shall not proceed until the school bus resumes motion or is signaled by the school bus driver to proceed or the visual signals are no longer actuated. The provisions of this subsection shall also apply to a school bus with lights flashing and stop sign extended and marked in accordance with this subsection that is stopped upon property owned, operated, or used by a school or educational institution, if such bus is stopped for the purpose of receiving or discharging any school children outside a protected loading zone.

(b) All motor vehicles used in transporting school children to and from school in the Town of Walden are required to be distinctly marked "School Bus" on the front and rear thereof in letters of not less than six inches (6") in height, and so plainly written or printed and so arranged as to be legible to persons approaching such school bus, whether traveling in the same or opposite direction.

(c) (i) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

(ii) For the purpose of subsection (1), "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(d) Except as otherwise provided by the preceding sections, the school bus driver is required to stop such school bus on the right-hand side of such road or highway, and the driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated, until all school children who should be discharged from the bus have been so discharged and until all children whose destination causes them to cross the road or highway at that place have negotiated such crossing.

(e) The preceding subdivision of this subsection shall not be applicable to the vehicles of street railway companies while such vehicles are being used for the transportation of school children within the Town of Walden or its environs in the area over which the Town of Walden or one of its regulatory agencies has regulatory jurisdiction. A "street railway company" is a company operating streetcars, gasoline or electric or other self-propelled coaches for transportation of passengers within the Town of Walden's corporate limits and its environs.

(2) (a) (i) The driver of a vehicle on a highway upon meeting or overtaking from either direction any church bus which is stopped on the highway for the purpose of receiving or discharging passengers shall stop the vehicle before reaching such church bus and the driver shall not proceed until such church bus resumes motion or is signaled by the church bus driver to proceed or the visual signals on the bus are no longer actuated.

(ii) The provisions of this subsection shall not apply unless the church bus has the same type of safety equipment indicating the bus has stopped as is required for school buses.

(b) All motor vehicles in transporting passengers to and from churches in the Town of Walden are required to be distinctly marked "Church Bus" on the front and rear thereof in letters of not less than six inches (6") in height and so plainly written or printed and so arranged as to be legible to persons approaching such church bus, whether traveling in the same or the opposite direction.

(c)(i) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a church bus which is on a different roadway or when upon a controlled-access highway and the church bus is stopped in a loading zone which is

a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

(ii) For the purpose of subdivision (2)(c)(i), "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(d) Except as otherwise provided by this subsection, the church bus driver is required to stop such church bus on the right-hand side of the road or highway, and the driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated until all passengers who should be discharged from the bus have been so discharged and until all passengers whose destination causes them to cross the road or highway at that place have negotiated such crossing. (as added by Ord. #96-174, § 1, Feb. 1996)

15-808. Putting glass, nails and other substances on highway prohibited--penalty. (1) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

(2) Any person who drops, or permits to be dropped or thrown upon any highway any _____¹ or injurious material shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle. (as added by Ord. #96-174, § 1, Feb. 1996)

15-809. Use of off-road vehicles on the highway. (1) Off-highway motor vehicles may be operated or driven upon a highway but only as follows:

(a) On a two-lane highway, only to cross such highway at an angle of approximately ninety degrees (90⁰) to the direction of the roadway and at a place where a quick and safe crossing may be made;

(b) With respect to the crossing of a highway having more than two (2) lanes, or a highway having limited access, such off-highway motor vehicles may cross such highways, but only at a place designated by the department of transportation or the Town of Walden with respect to highways under their respective jurisdictions as a place where such motor vehicles, or specified types of such motor vehicles, may cross the

¹The attachment to Ord. #96-174 (Feb. 1996) from which these provisions were taken was not legible and a legible copy could not be obtained by the codifier.

highways, and such vehicles shall cross such highways, only at such designated places and only in quick and safe manner; and

(c) The department of transportation and the Town of Walden with respect to highways under their respective jurisdictions may designate, by the erection of appropriate signs of a type approved by the department, places where such motor vehicles, or specified types of such motor vehicles, may cross any highway having more than two (2) lanes or having limited access.

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

(3) An off-highway motor vehicle is a vehicle which is not driven or moved on the public highway and is limited to:

(a) Any motorcycle commonly referred to as a "dirt bike";

(b) Any snowmobile or other vehicle designed to travel exclusively over snow or ice;

(c) Any motor vehicle commonly referred to as a "sand buggy," "dune buggy," or "all terrain vehicle"; or

(d) Similar types of motor vehicles designed primarily for off-highway use. (as added by Ord. #96-174, § 1, Feb. 1996)

15-810. Child restraint device--violations--penalty. Any person transporting a child under four (4) years of age in a motor vehicle upon a road, street or highway is responsible for providing for the protection of the child and properly using a child passenger restraint system meeting federal motor vehicle safety standards. Nothing in this subsection restricts a mother from removing the child from the restraint system and holding the child when the mother is nursing the child, or attending to its other physiological needs. (as added by Ord. #96-174, § 1, Feb. 1996)

15-811. Use of safety belts in passenger vehicles. (1)(a) No person shall operate a passenger motor vehicle unless such person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

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

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

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

(3) As used in this section, unless specified otherwise, "passenger car" or "passenger motor vehicle" means any motor vehicle with a manufacturer's gross vehicle weight rating of eight thousand five hundred pounds (8,500 lbs.) or less, that is not used as a public or livery conveyance for passengers. "Passenger car" or "passenger motor vehicle" does not apply to motor vehicles which are not required by federal law to be equipped with safety belts.

(4) This chapter section does not apply to:

(a) A passenger or operator with a physically disabling condition whose physical disability would prevent appropriate restraint in such safety seat or safety belt; provided, that such condition is duly certified in writing by a physician who shall state the nature of the handicap, as well as the reason such restraint is inappropriate;

(b) A passenger motor vehicle operated by rural letter carrier of the United States Postal Service while performing the duties of a rural letter carrier;

(c) Utility workers, water, gas and electric meter readers in the course of their employment; or

(d) A newspaper delivery motor carrier service while performing the duties of a newspaper delivery motor carrier service; provided, that this exemption shall only apply from the time of the actual first delivery to the customer until the last actual delivery to the customer. (as added by Ord. #96-174, § 1, Feb. 1996)

15-812. Minimum speed regulation--impeding flow of traffic. (1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.

(2) Whenever the department of transportation or the Town of Walden within its respective jurisdiction determines on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impedes the normal and reasonable movement of traffic, the department or the Town of Walden may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law.

(3) Wherever there exists, at or near the top of any hill or grade, a turnout, passing bay or parking area adjacent to and to the right of any traffic lane of any state or federal highway within the state of Tennessee, any person driving or operating a truck or other slow-moving vehicle upon such traffic lane shall drive such truck or other slow-moving vehicle into and stop the same upon such turnout, passing bay or parking area and permit faster-moving vehicles following such truck or other slow-moving vehicle whose progress is being

retarded to pass; provided, that such turnout, passing bay or parking area is marked by a traffic sign. (as added by Ord. #96-174, § 1, Feb. 1996)

15-813. Headlights on motor vehicles--operation during inclement weather. (1) (a) The headlights of every motor vehicle shall be so constructed, equipped, arranged, focused, aimed, and adjusted, that they will at all times, and under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernable a person two hundred feet (200') ahead, but shall not project a glaring or dazzling light to persons in front of such headlights. Such headlights shall be displayed during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise; during fog, smoke, or rain and at all other times when there is not sufficient light to render clearly discernable any person on the road at a distance of two hundred feet (200') ahead of such vehicle.

(2) Operation of headlights during periods of rain, as required in this section, shall be made during any time when rain, mist, or other precipitation, including snow, necessitates the constant use of windshield wipers by motorists.

15-814. Multiple beam road lighting equipment--failure to dim lights. Whenever the road lighting equipment on a motor vehicle is so arranged that the driver may select at will between two (2) or more distributions of light from headlights or lamps or auxiliary road lighting lamps or lights, or combinations thereof, directed to different elevations, the following requirements shall apply while driving during the times when lights are required:

(1) When there is no oncoming vehicle within five hundred feet (500'), the driver shall use an upper distribution of light; provided, that a lower distribution of light may be used when fog, dust, or other atmospheric conditions make it desirable for reasons of safety, and when within the confines of the Town of Walden where there is sufficient light to render clearly discernable persons and vehicles on the highway at a distance of five hundred feet (500') ahead and when following another vehicle within five hundred feet (500'); and

(2) When within five hundred feet (500') of an oncoming vehicle, a driver shall use a distribution of light so aimed that the glaring rays therefrom are not directed into the eyes of the oncoming driver. (as added by Ord. #96-174, § 1, Feb. 1996)

15-815. Following too closely. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

(2) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that

an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

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

(4) No motor truck of more than one and one-half (1 1/2) ton rated capacity shall approach any other motor truck of like or greater capacity proceeding in the same direction on any of the highways of this state without the corporate limits of the Town of Walden at a distance nearer than three hundred feet (300'), except in overtaking and passing such other trucks, or unless one (1) or both of such trucks shall have come to a stop or except in rendering assistance to a disabled or partly disabled truck. (as added by Ord. #96-174, § 1, Feb. 1996)

CHAPTER 9

REGISTRATION AND DRIVER'S LICENSE VIOLATIONS

SECTION

15-901. Driving or moving unregistered vehicle.

15-902. Display of registration plates.

15-903. License required.

15-906.¹ License to be carried and exhibited on demand.

15-901. Driving or moving unregistered vehicle. (1) It is a violation of this chapter section for any person to:

(a) Drive or move or for any owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered, which is not registered or for which the appropriate fee has not been paid; or

(b)(i) Operate or for any owner knowingly to permit to be operated on lands, other than a highway, an off-highway motor vehicle for which certificate of title has not been issued or for which the appropriate fee has not been paid.

(ii) An off-highway motor vehicle is a vehicle which is not driven or moved on the public highway and is limited to:

(A) Any motorcycle commonly referred to as a "dirt bike";

(B) Any snowmobile or other vehicle designed to travel exclusively over snow or ice;

(C) Any motor vehicle commonly referred to as a "sand buggy," "dune buggy," or "all terrain vehicle"; or

(D) Similar types of motor vehicles designed primarily for off-highway use.

(c) When application accompanied by proper fee has been made for a certificate of title for a vehicle, it may be operated temporarily pending issuance of a certificate of title upon displaying a duplicate application therefore, duly verified by the county clerk of the county in which the vehicle has been registered, which shall be prepared by the county clerk, upon request, without the payment of additional fee. (as added by Ord. #96-174, § 1, Feb. 1996)

15-902. Display of registration plates. (1) The registration plate issued for passenger motor vehicles shall be attached on the rear of the vehicle. The

¹Ord. #96-174 (Feb. 1996) specified for these sections to be numbered as they appear here.

registration plate issued for those trucks with the manufacturer's ton rating not exceeding three-quarters (3/4) ton and have a panel or pickup body style, and also those issued for all motor homes, regardless of ton rating or body style thereof, shall be attached to the rear of the vehicle. The registration plate issued for all other trucks and truck tractors shall be attached to the front of the vehicle. All dealers' plates and registration plates issued to motorcycles, trailers or semi-trailers shall be attached to the rear of the vehicle.

(2) Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so to prevent the plate from swinging and at a height of not less than twelve inches (12") from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly legible. (as added by Ord. #96-174, § 1, Feb. 1996)

15-903. License required. (1) No person, except as hereinafter expressly exempted, shall drive any motor vehicle upon a highway in the Town of Walden unless such person has a valid driver license for the type or class of vehicle being driven;

(2) No person, except as hereinafter expressly exempted, shall steer or, while within the passenger compartment of such vehicle, exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway within the corporate limits unless such person has a valid driver license for the type or class of vehicle being towed;

(3) No person shall receive a driver license unless and until such person surrenders to the department all valid licenses in such person's possession, issued to that person. (as added by Ord. #96-174, § 1, Feb. 1996)

15-906.¹ License to be carried and exhibited on demand. (1) Every licensee shall have such licensee's, operator's or chauffeur's license in immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of the Walden Municipal Court, or a Walden police officer; provided, that it is unlawful for any Walden law enforcement officer to demand the exhibition of such licenses, unless the operator of the motor vehicle is then engaged in, or immediately prior to such demand, has been engaged in, a violation of any ordinance of the Town of Walden or statute law of this state. Any police officer of the Town of Walden thereof, has the right to demand the exhibition of the license of any operator of a motor driven cycle, as defined in subsection (2), and effect the arrest of any person so found to be in violation of this section.

¹Ord. #96-174 (Feb. 1996) specified for these sections to be numbered as they appear here.

(2) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred twenty-five cubic centimeters (125cc);¹ (as added by Ord. #96-174, § 1, Feb. 1996)

¹This is how § 15-906 ends in the attachment to Ord. # 96-174.

CHAPTER 10

REQUIRED EQUIPMENT ON VEHICLES

SECTION

- 15-1001. Motor vehicle requirements.
- 15-1002. Horns--bells, sirens or exhaust whistles on emergency vehicles.
- 15-1003. Mufflers.
- 15-1004. Windshield wipers.
- 15-1005. Brakes--equipment required on various type vehicles.
- 15-1006. Bumpers.
- 15-1007. Lights on vehicles other than motor vehicles.
- 15-1008. Lights required on motor vehicles.
- 15-1009. Motor vehicle windows with tinting, reflecting or sun screen material.
- 15-1010. Loose material hauled in open truck bed.
- 15-1011. Mudguards on trucks.

15-1001. 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 equipment as is prescribed and required by the following sections 15-1002 through 15-1011. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1002. Horns--bells, sirens or exhaust whistles on emergency vehicles.

(1) Every motor vehicle, when operated upon any road, street or highway within the corporate limits shall be equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200'), and it is unlawful, except as otherwise provided in this section, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(2) Every police, fire department and fire patrol vehicle, and every ambulance and emergency repair vehicle of public service companies used for emergency calls, shall be equipped with a bell, siren, or exhaust whistle of a type approved by the department of the Town of Walden. Members of volunteer fire departments residing outside of the Town of Walden may equip vehicles, to be used in fire patrol work, with warning devices of the type approved by the department or by the sheriff of the county in which the vehicles are to be operated.

(3)(a) Members of regular or volunteer fire departments may equip their privately owned vehicles to be used in responding to a fire alarm or other

emergency with warning devices approved by the local fire chief, upon written certification to the local sheriff or police chief that such person is a member of such department. In the event such warning devices are abused or used for other than their intended purpose by a member of the fire department, the local fire chief shall revoke such member's privilege of using such warning devices and shall notify, in writing, the local sheriff or police chief of such revocation. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1003. Mufflers. (1) No person shall drive a motor vehicle on any road, street or highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(2) It is unlawful to use a "muffler cutout" on any motor vehicle upon any road, street or highway. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1004. Windshield wipers. Every motor vehicle having a windshield shall be equipped with two (2) windshield wipers for cleaning rain, snow or other moisture from the windshield in order to provide clear vision for the driver, unless one (1) windshield wiper cleans to within one inch (1") of each side of windshield. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1005. Brakes--equipment required on various type vehicles. (1) Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two (2) separate means of applying brakes are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.

(2) Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be equipped with at least one (1) brake, which may be operated by hand or foot.

(3) Every trailer or semitrailer of a gross weight of three thousand pounds (3,000 lbs.) or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and the brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicles, the brakes shall be automatically applied.

(4) Every new motor vehicle, trailer, or semitrailer sold after May 21, 1937, operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except trucks and truck tractors having three (3) or more axles need not have brakes on the front wheels, unless such vehicles

are equipped with at least two (2) steerable axles, the wheels of one (1) such axle need not be equipped with brakes, except any motorcycle, and except that any semitrailer of less than one thousand five hundred pounds (1,500 lbs.) gross weight need not be equipped with brakes.

(5) The requirements of subsection (3) and (4) shall not apply to trailers which are not required to be registered and licensed and which are used by or on behalf of farmers:

(a) Transporting farm products or livestock from farm to market;

(b) Transporting products, equipment, materials or supplies used in agricultural pursuits from market to farm or in their transfer from farm to farm or from one (1) part of a farm to another part of the same farm; or

(c) Delivering such trailer to any farm. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1006. Bumpers. (1) No person shall operate a motor vehicle on any road, street or highway unless the vehicle is equipped with a bumper or other energy absorption system with an analogous function.

(2)(a) No person shall operate a passenger vehicle, except a four-wheel drive recreational vehicle, of a type required to be registered under the laws of this state upon a public highway or street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are more than twenty-two inches (22") above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation, and that no part of the original suspension system; be disconnected to defeat the safe operation of the suspension system; provided, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear does not affect the control of the vehicle.

(b) No person shall operate a four-wheel drive recreational vehicle of a type required to be registered under the laws of this state upon a public highway or street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are not within the range of fourteen inches (14") to thirty-one inches (31") above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from

collision or cause the wheels to come in contact with the body under normal operation, and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, that nothing contained in this section shall prevent the installation _____¹ duty equipment to include shock absorbers and _____¹ and provided further, that nothing _____¹ shall prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear does not affect the control of the vehicle. In the case of a four-wheel drive vehicle where the thirty-one inches (31") limitation is exceeded, the vehicle will comply with this section if the vehicle is equipped with a drop bumper. Such a drop bumper must be bolted and welded to the frame of the vehicle and be made of a strength equal to a stock bumper.

(3) This section does not apply to freight motor vehicles and/or other vehicles which have designs which would intrinsically preclude conformity with this provision. This section also shall not apply to any vehicle which has an unaltered and undamaged stock bumper or energy absorption system as supplied by the manufacturer of the vehicle.

(4) Any law enforcement officer charged with the enforcement of traffic laws and regulations may stop and inspect motor vehicles which appear to be operated in violation of this section. If, upon inspection, the vehicle is found to be in violation of this section, the operator shall be issued a citation stating the particulars of the violation and, in general, the repairs necessary to bring the vehicle into compliance with this section. The citation shall also state a time and place for appearance in a court of competent traffic jurisdiction, not less than fourteen (14) days from the date of the issuance of the citation.

(5) If the vehicle is found not to be in compliance with this section, the operator shall be fined not less than two hundred fifty dollars (\$250). Upon conviction of a second or subsequent offense involving the same vehicle for substantially the same defect, the registration of the vehicle and the driver licenses of the operator and the owner of the vehicle, if such persons are different, shall be suspended for one (1) year. The vehicle may, however, be operated for the purpose of traveling to and from an establishment or location where the repairs are to be performed.

(6) Nothing in this section shall be construed to establish standards higher than those formulated by the United States department of transportation for bumpers on passenger motor vehicles sold within the United States. (as added by Ord. #96-174, § 1, Feb. 1996)

¹The attachment to Ord. #96-174 (Feb. 1996) from which these provisions were taken was not legible and a legible copy could not be obtained by the codifier.

15-1007. Lights on vehicles other than motor vehicles. (1) Every vehicle other than a motor vehicle, when traveling upon a state highway, state aid road or other road, highway or street under the control of the state of Tennessee, the federal government or any political division thereof, dedicated, appropriated or open to public use or travel, and within the Town of Walden's corporate limits, shall be equipped with a light attached to and on the upper left side of such vehicle, capable of displaying a light visible five hundred feet (500') to the front and five hundred feet (500') to the rear of such vehicle under ordinary atmospheric conditions, and such light shall be displayed during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at all other times when there is not sufficient light to render clearly discernible any person on the road or highway at a distance of two hundred feet (200') ahead of such vehicle.

(2) Cotton wagons used exclusively to transport cotton shall not be required to display the light described in subsection (1), but shall display:

(a) A red tail lamp on the lower left corner of the rear of such wagon; and

(b) A triangle-shaped slow-moving vehicle identification emblem meeting Standard S276.8 of the American Society of Agricultural Engineers. Such emblem shall be placed on the lower left corner of the rear of such wagon. The user of a cotton wagon shall be responsible for the proper function of the symbol or light, except for any malfunction resulting from the act or omission of another person.

(3) Horse drawn vehicles which are used on the highways primarily as a means of transportation shall:

(a) Be equipped on the top with a battery powered white strobe light of a type approved for rural mail carriers under Tennessee Code Annotated § 55-9-413 and shall have at least one hundred (100) square inches of reflector tape placed on the rear of the vehicle; or

(b) Be equipped with two (2) reflective type lanterns, one to be placed on the left side of the vehicle and one to be placed on the right side of the vehicle with the lantern on the right side to be placed at least twelve inches (12") higher than the lantern on the left, and shall also have a minimum of one hundred (100) square inches of reflector tape placed on the rear of the vehicle, thirty-six inches (36") of reflector tape placed on each side of the vehicle, and twenty-four inches (24") of reflector tape placed at the highest point of the left front of the vehicle. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1008. Lights required on motor vehicles. (1) (a) Every motor vehicle other than a motorcycle, road roller, road machinery or farm tractor shall be equipped with at least two (2) and not more than four (4) headlights, with at least one (1) on each side of the front of the motor vehicle.

(b) Auxiliary road lighting lamps may be used, but not more than two (2) of such lamps shall be lighted at any one (1) time in addition to the two (2) required headlights.

(c) No spotlight or auxiliary lamp shall be so aimed upon approaching another vehicle that any part of the high intensity portion of the beam therefrom is directed beyond the left side of the motor vehicle upon which the spotlight or auxiliary lamp is mounted, nor more than one hundred feet (100') ahead of such motor vehicle.

(2)(a) Every motor vehicle shall be equipped with two (2) red tail lamps and two (2) red stoplights on the rear of such vehicle, and one (1) tail lamp and one (1) stoplight shall be on each side, except that passenger cars manufactured or assembled prior to January 1, 1968, and motorcycles and motor-driven cycles shall have at least one (1) red tail lamp and one (1) red stoplight.

(b) The stoplight shall be so arranged as to be actuated by the application of the service or foot brake and shall be capable of being seen and distinguished from a distance of one hundred feet (100') to the rear of a motor vehicle in normal daylight, but shall not project a glaring or dazzling light.

(c) The stoplight may be incorporated with the tail lamp.

(3) Each lamp and stoplight required in this section shall be in good condition and operational.

(4)(a) No vehicle operated in the Town of Walden shall be equipped with any flashing red light which displays to the front of such vehicle, except school buses, authorized law enforcement vehicles only when used in combination with a flashing blue light, and emergency vehicles used in firefighting, including ambulances, emergency vehicles used in firefighting which are owned or operated by the division of forestry, firefighting vehicles, rescue vehicles, privately owned vehicles of regular or volunteer fire fighters, or other emergency vehicles used in firefighting owned, operated, or subsidized by the governing body of the Town of Walden.

(b) Any emergency rescue vehicle owned, titled and operated by a state chartered rescue squad, a member of the Tennessee Association of Rescue Squads, privately owned vehicles of regular or volunteer fire fighters, and marked with lettering at least three inches (3") in size and displayed on the left and right sides of the vehicle designating it an "Emergency Rescue Vehicle," any authorized civil defense emergency vehicle displaying the appropriate civil defense agency markings of at least three inches (3"), and any ambulance or vehicle equipped to provide emergency medical services properly licensed as required in the state of Tennessee and displaying the proper markings, shall also be authorized to be lighted in one (1) or more of the following manners:

- (i) A red light visibar type with P.A. system;
- (ii) A red oscillating type light; and
- (iii) Blinking red lights, front and rear.

(c) Any vehicle, other than an emergency vehicle authorized by this section to display flashing red lights, or authorized law enforcement vehicle using red and blue lights in combination, which displays any such lights shall be considered in violation of this provision. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1009. Motor vehicle windows with tinting, reflecting or sunscreen material. It is unlawful for any person to operate, upon a public highway, street or road, any motor vehicle registered in this state, in which any window, which has a visible light transmittance equal to, but not less than that specified in the Federal Motor Vehicle Safety Standard No. 205, has been altered, treated or replaced by the affixing, application or installation of any material which:

- (1) Has a visible light transmittance of less than thirty-five percent (35%); or
- (2) With the exception of the manufacturer's standard installed shade band, reduces the visible light transmittance in the windshield below seventy percent (70%). (as added by Ord. #96-174, § 1, Feb. 1996)

15-1010. Loose material hauled in open truck bed. (1) Any truck, or other motor vehicle, with an open bed, which is operated on any highway, road, or street open for public use within the Town of Walden's corporate limits, shall be loaded so that any loose material transported therein remains at least four inches (4") below the walls of such open bed, measured at the front, back and side walls; but such load may be piled higher in the center of such open bed. "Loose material" includes any substance which could spill, drop off, or blow away from the open bed when the vehicle is operated. "Loose material" does not include materials such as sand or salt which are purposefully discharged from truck beds to clear roadways or improve traction, and shall not include water sprayed on streets for purposes of sanitation.

(2)(a) A charge for violation of this section shall be brought against the hauler whose vehicle is found in violation; however, the hauler may recoup one-half (1/2) of the fine from the producer or loader of the material hauled in violation of this section.

(3) As used in this section, "hauler" includes both the owner and the driver of a vehicle, and both parties shall be jointly liable. Only one (1) fine shall be imposed on a hauler, regardless of the difference between ownership and operation, and the party or parties paying the fine shall have a right of recoupment against the producer or loader either in whole or in accordance with such producer's or loader's share of payment.

(4)(a) This section shall not include farm produce going to market.

(b) The provisions of this section shall not apply to motor vehicles which transport crushed stone, field dirt and rocks, soil, bulk sand, coal, phosphate muck, asphalt, concrete, or other building materials, forest products, unfinished lumber, agricultural lime and

agricultural products and which are loaded in compliance with the four inch (4") requirement of this section. Such exemption shall not apply to any load if any law enforcement officer sees any part of such material blowing off such vehicle. (as added by Ord. #96-174, § 1, Feb. 1996)

15-1011. Mudguards on trucks. (1) No person shall operate upon a public highway or street any motor vehicle, including a separate truck tractor (normally used in a tractor-trailer combination), or combination of vehicles having a carrying capacity in excess of three thousand pounds (3,000 lbs.), if such motor vehicle or combination of vehicles is not equipped with rear fenders, mudflaps or mudguards of such size as to substantially prevent the projection of rocks, dirt, water or other substances to the rear. Such fenders, flaps or guards shall be of the type approved by the Commissioner of Safety.

(2) This section shall have no application to farm vehicles, or vehicles used by farmers to haul produce from farm to market, nor shall it apply to vehicles used exclusively for hauling logs. (as added by Ord. #96-174, § 1, Feb. 1996)