

TITLE 15**MOTOR VEHICLES, TRAFFIC AND PARKING**¹**CHAPTER**

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15-101. Definitions. The following words and phrases, when used in this title, have the meanings respectively ascribed to them in this section:

(1) "Arterial street." Any U. S. or state numbered route, controlled-access highway, or other major radial or circumferential street or highway designated by city council as a part of a major arterial system of streets and highways.

(2) "Authorized emergency vehicle." Vehicles of the fire department, fire patrol, police vehicles and such ambulances and emergency vehicles as are designated or authorized by the state commissioner of safety or the chief of police of the city.

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

(4) "Bus." Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

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

(6) "Chauffeur." Every person who is employed by another for the principal purpose of driving a motor vehicle and every person who drives a

school bus transporting schoolchildren or any motor vehicle when in use for the transportation of persons or property for compensation.

(7) "Citation." Means a written citation or an electronic citation prepared by a law enforcement officer on paper or on an electronic data device with the intent the citation shall be filed, electronically or otherwise, with a court having jurisdiction over the alleged offense.

(8) "Crosswalk." That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway. Such term shall also include any portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

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

(10) "Disabled driver." The term disabled driver shall mean any person who is qualified under the provisions of the Tennessee Code Annotated, § 59-2201 et seq., and § 59-861 as amended and is issued registration, placard, or license plates bearing the stylized wheelchair symbol or the disabled veteran's symbol by the state department of revenue.

(11) "Intersection." The areas embraced within the prolongation or connection of the lateral curblines, or, if none, then the lateral boundary lines, of the roadways of two (2) streets which join one another at, or approximately at, right angles, or the areas within which vehicles traveling upon different streets joining at any other angle may come in conflict. Where a street includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such street shall be regarded as a separate intersection.

(12) "Junked vehicle." Any motorized or non-motorized vehicle, including but not limited to campers, trailers and semi-trailers, the condition of which is one or more of the following: wrecked, abandoned, discarded, in a state of disrepair, lacking vital component parts or poses a safety hazard.

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

(14) "Loading zone." A space on the edge of a street designated by sign for the purpose of loading or unloading passengers or materials.

(15) "Metal tire." Every tire the surface of which in contact with the street is wholly or partly of metal or other hard, nonresilient material.

(16) "Motorized vehicle." Every motor vehicle which is self-propelled, including but not limited to automobiles, trucks, tractors, forklift trucks, motorcycles, road building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicles laws of Tennessee.

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

(18) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, and every bicycle with a motor attached.

(19) "Nonmotorized vehicle." Any vehicle or object not capable of self-propulsion upon streets, including but not limited to travel trailers, boats and trailers.

(20) "Official traffic-control devices." All signs, signals, markings and devices not inconsistent with this chapter and Chapters 8 and 10 of Title 59, Tennessee Code Annotated, placed or erected by authority of the city council, for the purpose of regulating, warning or guiding traffic.

(21) "Operator." Every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a street or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(22) "Owner." The person who is the registered owner with the appropriate vehicle registration authority at the time of the incident or citation.

(23) "Park." The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

(24) "Pedestrian." Any person afoot.

(25) "Person." An individual, corporation, firm, partnership, association, organization and any other group acting as a unit.

(26) "Pneumatic tire." Every tire in which compressed air is designed to support the load."

(27) "Pole trailer." Every vehicle without motive power designed to be driven by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes or structural members, capable, generally, of sustaining themselves as beams between the supporting connections.

(28) "Police officer." Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

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

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

(31) "Recreational vehicles." Any vehicular-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal water craft carriers, personal water craft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles.

(32) "Residential district." The territory contiguous to and including a street not comprising a business district when the property on such street, for a distance of three hundred (300) feet or more, is in the main improved with residences.

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

(34) "Road tractor." Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

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

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

(37) "School bus." Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

(38) "Semitrailer." Every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

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

(40) "Solid tire." Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(41) "Special mobile equipment." Every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm tractors, road construction or maintenance machinery, ditchdigging apparatus, well-boring apparatus and concrete mixers. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this paragraph.

(42) "Specially constructed vehicle." Every vehicle of a type required to be registered not originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

(43) "State of disrepair." Exhibiting one (1) or more of the following characteristics: inoperable under its own power (if a motor vehicle), without one

(1) or more wheels or inflated tires, burned throughout, with more than one (1) broken window or in a generally unusable condition.

(44) "Stop." Complete cessation of movement.

(45) "Stop, stopping or stand." When prohibited, any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(46) "Street." The entire width between the boundary lines of every publicly maintained way, including a road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct bridge and approach thereto within the city.

(47) "Through street." Every street or portion thereof at the entrance to which vehicular traffic from intersecting streets is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

(48) "Tractor." Any self-propelled vehicle designed or used as a traveling power plant or for drawing other vehicles, but having no provision for carrying loads independently.

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

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

(51) "Traffic lane." That area of the roadway used for the movement of a single line of traffic.

(52) "Trailer." Every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(53) "Truck." Every motor vehicle designed, used or maintained primarily for the transportation of property.

(54) "Truck tractor." Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load as drawn.

(55) "Utility trailers." Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property.

(56) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a street, excepting devices moved by human power or used exclusively upon stationary rails or tracks. For the purposes of chapter 6 of this title, a "bicycle" shall be deemed a vehicle. (1969 Code, § 24-1, as amended by Ord. #11-02, June 2002, Ord. #01-2012, March 2012, and Ord. #3-2015, Jan. 2015)

15-102. Obedience to traffic officers. No person shall wilfully fail or refuse to comply with any lawful order or direction of any police officer of the city directing, controlling or regulating traffic. (1969 Code, § 24-2)

15-103. Operation of motor vehicles off public streets; muffler required. All motor vehicles, motorcycles, and motor-driven cycles shall be operated only upon the public streets of the city except for the following:

(1) Upon the public lands of the city where permitted by authorization of the city manager; or

(2) Upon courses established for operation of such vehicles. The city manager is authorized to approve or disapprove the establishment of a proposed course and shall promulgate reasonable rules regulating the operation of vehicles on established courses to assure compliance with all ordinances of the city and to protect the health, safety and welfare of the community; or

(3) Upon property owned by the operator or upon which permission has been given by the owner of such land.

All such vehicles shall be equipped with a properly designed and working muffler, constantly in use to prevent unusual or loud noise. (1969 Code, § 24-2.1)

15-104. Application of provisions of chapter relating to operation of vehicles. The provisions of this title relating to the operation of vehicles refer exclusively to the operation of vehicles upon streets except where a different place is referred to herein, provided however that the provisions of this title relating to the operation of vehicles shall further apply to any streets or roadways included in any traffic enforcement agreement filed with the city court or provided by applicable provisions of the Tennessee Code Annotated. (1969 Code, § 24-3)

15-105. Application of title to persons riding animals or driving animal-drawn vehicles. Every person riding an animal or driving an animal-drawn vehicle upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under this title, except those provisions which, by their very nature, have no application. (1969 Code, § 24-4)

15-106. Application of title to drivers of government vehicles. The provisions of this title applicable to drivers of vehicles shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district or any other political subdivision of the state, subject to such specific exceptions as are set forth in this title. (1969 Code, § 24-5)

15-107. Application of title to persons working on street.¹ Unless specifically made applicable, the provisions of this title shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street or the adjacent right-of-way, but shall apply to such persons and vehicles when traveling to and from such work. The provisions of this section shall not relieve the driver of a motor vehicle or equipment covered by this section from the duty to drive with due regard for the safety of all persons, all as provided by law. (1969 Code, § 24-6, as replaced by Ord. #21-06, Dec. 2006)

15-108. Exemptions granted drivers of authorized emergency vehicles. (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in 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, but subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may:

(a) Park or stand, irrespective of the provisions of this title.

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(c) Exceed the speed limits so long as he or she does not endanger life or property.

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, 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.

(4) The foregoing provisions of this section 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 such driver from the consequences of his or her reckless disregard for the safety of others. (1969 Code, § 24-7)

15-109. General regulations governing nonmotor vehicles and animals. (1) Every driver or person having charge of any nonmotor vehicle, on any of the public roads in or of this city, on meeting and passing another vehicle, shall give one-half ($\frac{1}{2}$) the road by turning to the right, so as not to interfere in passing.

¹State law reference

Tennessee Code Annotated, § 55-8-107.

(2) When nonmotor vehicles are traveling in the same direction, and the driver of the hindmost desires to pass the foremost, each driver shall give one-half (½) of the road, the foremost by turning to the right, and the hindmost to the left.

(3) No driver shall stop his or her nonmotor vehicle on any of the public roads, for any cause or pretense whatever, without turning so far to the right as to leave at least one-half (½) the road free, open, and unobstructed for other travelers and vehicles.

(4) Drivers of nonmotor vehicles on public roads shall pass each other in a quiet, orderly, and peaceable manner, and shall not make any noise intended to disturb or frighten the driver or the animals drawing nonmotor vehicles.

(5) No person shall wilfully, by noise, gesture, or by other means, on or near public roads, disturb or frighten the driver or rider or the animals ridden or drawing vehicles thereon. (1969 Code, § 24-8)

15-110. Playing on streets or using toy vehicles thereon; skateboarding prohibited except in areas designated for such use.

(1) No person shall play or use any toy vehicle on any street within the city.

(2) No person shall use a skateboard upon any street, sidewalk, right-of-way, public property, or upon any city-owned, operated or controlled parking lots or other city-owned property and facilities, unless the property or area has been designated by the city and posted as a place permitting such activity. For purposes of this section, "skateboard" shall mean a wheeled, self-propelled board of any material designed to transport a rider in a standing position, which board is not otherwise secured to the rider's feet or shoes and to which board there is not affixed any device or mechanism to turn or control the wheels.

(3) No person shall at any time use any bench, table, garbage can or other property belonging to the city as a ramp or jump for skateboarding at any location within the city.

(4) No person shall use skateboards upon any private property where such property has been posted as prohibiting such activity. (Ord. #9-98, March 1998)

15-111. Clinging to vehicles. No person riding upon any roller skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway. (1969 Code, § 24-10)

15-112. Riding on motorcycles and motor-driven cycles generally.¹

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

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

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

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

(5) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two (2) abreast in a single lane.

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

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

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

(9) Subsections (6) and (7) shall not apply to police officers in the performance of their official duties. (1969 Code, § 24-11, as amended by Ord. #21-06, Dec. 2006)

15-113. Safety goggles for driver and passenger on motorcycle or motor-driven cycle. The operator and any passenger on any motorcycle or motor-driven cycle not equipped with a windshield in accord with § 15-220 shall wear safety goggles of a type approved by the state commissioner of safety for the purpose of preventing any flying object from striking the operator or any passenger in the eyes. (1969 Code, § 24-12)

15-114. Crash helmets for driver and passenger on motorcycle or motor-driven cycle. The driver of a motorcycle or motor-driven cycle and any

¹State law reference

Tennessee Code Annotated, §§ 55-8-164 and 55-8-182.

passenger thereon shall wear a crash helmet meeting the requirements of Tennessee Code Annotated, §55-9-302.

This section does not apply to persons riding:

- (1) Within an enclosed cab;
- (2) Motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.), and have the capacity to maintain posted highway speed limits;
- (3) Golf carts;
- (4) In a parade, at a speed not to exceed thirty (30) miles per hour, if the person is eighteen (18) years of age or older; or
- (5) In a funeral procession, memorial ride under police escort, or body escort detail provided that the driver travels at a speed not to exceed thirty (30) miles per hour, the driver or passenger is twenty-one (21) years of age or older, and the funeral procession, memorial ride, or body escort detail does not exceed a distance of fifty (50) miles. (1969 Code, § 24-13, as replaced by Ord. #14-2015, Sept. 2015)

15-115. Vehicles damaging or likely to damage streets. (1) No person shall operate, tow or place upon any street of the city any truck, road grader, earth mover, or any other vehicle or equipment which, either by its weight or the design and construction of its wheels or other supporting device, will materially injure such street, whether such injury is by breaking a paved surface, injuring bridges or culverts, or any other injury to such street. There shall be conclusive presumption that any freight motor vehicle operating upon the streets of the city, whose load is in excess of the weight limits provided in this chapter, shall have caused injury to the street on which it is being operated. Before any such vehicle or equipment shall be moved upon, on or over any street within the city, the driver or operator of such vehicle or equipment shall comply with the rules and regulations which shall be prescribed by the city manager and a permit shall be obtained from the city manager or his or her authorized representative to move such vehicle or equipment on, over, or upon the city streets. The city manager is hereby authorized and directed to prescribe, by reasonable regulations, the manner in which the wheels of vehicles shall be equipped in order to protect the surface or foundation of streets in the city and to issue permits for the operation of such vehicles upon the streets upon compliance with these or any other reasonable regulations prescribed by the city manager and approved by the city council for the protection of the city streets.

(2) The owner of any vehicle driven upon a city street in violation of this section shall be liable in an action for damages caused to such street, such action to be prosecuted by the city manager in the name of the city. (1969 Code, § 24-14)

15-116. Vehicle loads not to spill on streets; deposit of mud, etc., from vehicle tires. No person shall load, drive or move any truck or other

vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind. (1969 Code, § 24-15)

15-117. Deposit of glass, nails, etc., in street prohibited; removal.

(1) No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such street.

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

(3) Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle. (1969 Code, § 24-16)

15-118. Parents or guardians not to authorize or knowingly permit violations of chapter. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter. (1969 Code, § 24-17)

15-119. Minor traffic violations defined. A "minor traffic violation," for the purposes of § 15-120, shall be defined as follows:

Any nonmoving violation, such as but not limited to a parking offense, obstruction of driver's view, stopping, standing or parking in prohibited areas, and driving with equipment deficiencies which are prohibited by this chapter. Such definition shall include unlawful horn blowing and blocking of an intersection. (1969 Code, § 24-18)

15-120. Acceptance of guilty pleas and fines for minor traffic violations. (1) The city court clerk is hereby authorized to accept pleas of guilty in the case of minor traffic violations, to accept designated fines in connection with such pleas, issue receipts therefor, and appear for such person in court for the purpose of entering pleas of guilty, all in accordance with such procedures as may be established by the judge of the city court. Such fines shall be accepted upon the entry of any plea of guilty before the court clerk. The amount of such fine to be so accepted shall be as designated by rule of court promulgated by the judge of the city court; provided that no such fine may be accepted for a sum less than the minimum fine imposed by any ordinance for any minor traffic violation. Any person arrested or given a ticket for a minor traffic violation may post the fine appropriate thereto, and notify the clerk of the city that he or she will appear for trial, in which case the matter may be entered on the docket for trial.

(2) In the absence of the city judge and clerk of the city court and his or her deputies, the highest ranking police officer on duty at the time is hereby designated as an officer of the court authorized to accept pleas of guilty and accept fines in cases of minor traffic violations in accord with this section.

(3) There shall be no costs assessed in cases in which a plea of guilty is entered under this section. (1969 Code, § 24-19)

15-121. Arrest procedure for violations of title. (1) Except as provided otherwise in this title, whenever any person is arrested for a violation of any provision of this title, the arresting officer shall prepare in quadruplicate written notice to appear in the city court, containing the name and address of such person, the license number of his or her vehicle, the offense charged, and the time when such person shall appear in city court. The time specified for appearance shall be not less than five (5) days from the date of issuance of the notice to appear, unless the person arrested agrees to a shorter period. If the person arrested so demands, the appearance in court shall be the first session of court following the arrest.

(2) The arrested person shall sign one copy of the notice to appear in order to secure his or her release. Signing of the notice to appear shall constitute the arrested person's promise to appear on the date specified in the notice. One copy of the notice to appear shall be delivered to the arrested person.

(3) The arresting officer may, instead of issuing a notice to appear as provided above, hold such person until an appearance bond in an amount fixed by the city judge is furnished. Pursuant to Tennessee Code Annotated, § 59-730, whenever any person lawfully possessed of a chauffeur's or operator's license therefor issued to him or her by the Department of Safety, State of Tennessee, is issued a citation or arrested and charged with a violation of any city ordinance regulating traffic, said person shall have the option of depositing his or her chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his or her appearance in the city court in answer to any such charge before said court.

(4) Nothing in this section shall be construed as conflicting with § 15-120. (1969 Code, § 24-20)

15-122. Failure to obey traffic citation. No person shall violate his or her written promise to appear given to an officer upon the issuance of a traffic citation provided for in § 15-121, regardless of the disposition of the charge for which such citation was originally issued. Any person convicted of violating this section shall be fined and may be imprisoned in like manner as for the offense of which such person was originally charged. (1969 Code, § 24-21)

15-123. Compliance with traffic citation by appearance by counsel. A written promise to appear in court given pursuant to § 15-121 may be complied with by an appearance by counsel. (1969 Code, § 24-22)

15-124. Illegal cancellation of traffic citation. Any person who cancels, attempts to cancel, or solicits the cancellation of any traffic citation, in any manner other than as provided in this chapter, shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and may be confined in the city workhouse for a period of time not to exceed ninety (90) days. (1969 Code, § 24-23)

15-125. Collection of fines, costs, etc., under title. The city manager is hereby authorized and directed to take all steps necessary and lawful to collect all fines, costs, penalties, and forfeitures of bonds imposed under this title. (1969 Code, § 24-24)

15-126. Violations of title to be tried upon warrants or traffic complaints; records of violations. All charges of violation of this title shall be tried upon warrants or traffic complaints duly prepared in a form required by law; which warrant or traffic complaint shall be kept on permanent file with all relevant papers and documents. (1969 Code, § 24-25)

15-127. Compliance with financial responsibility law required; evidence of compliance. This section shall apply to every vehicle subject to the registration and certification of title provisions.

(1) At the time the driver of a motor vehicle is charged with any moving violation under Tennessee Code Annotated, title 15, chapters 8 and 10, parts 1-5, chapter 50; any city ordinance regulating traffic; or at the time of an accident for which notice is required by state law under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility. In case of an accident for which notice is required by state law under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" has the same meaning as it does in Tennessee Code Annotated, § 55-12-139.

(2) On or before the court date, the person so charged may submit evidence of compliance with this section at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation and it is the person's first offense, the charge of failure to provide evidence of financial responsibility shall be dismissed without costs. If the court is satisfied that compliance was in effect at the time of the violation and it is the person's second or subsequent offense, the charge of failure to provide evidence of financial responsibility may be dismissed without costs.

(3) A person who did not have financial responsibility that was in effect at the time of being charged with a violation of this section shall not have that person's violation dismissed. (as added by Ord. #21-06, Dec. 2006, and amended by Ord. #25-08, Aug. 2008, and Ord. #16-09, Sept. 2009)

15-128. Display of registration plates.¹ (1) The registration plate issued for passenger motor vehicles shall be attached on the rear of the vehicle. The registration plate issued for those trucks with a manufacturer's ton rating not exceeding three-quarter (3/4) ton and having 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 those registration plates issued for motorcycles, trailers or semitrailers 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 (12) inches 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. No tinted materials may be placed over a license plate even if the information upon such license plate is not concealed.

(3) A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of ten dollars (\$10.00) for a first violation, and twenty dollars (\$20.00) on second and subsequent violations to the city court clerk. (as added by Ord. #21-06, Dec. 2006)

15-129. Registration certificate.² (1) Every certificate of registration shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving, or in control of such vehicle, who shall display the same upon demand of any officer or employee of the department. The owner may, in order to ensure its safekeeping, provide a duplicate or facsimile of the certificate of registration to be kept in the vehicle for display by any person who may legally operate such vehicle under the owner's registration.

(2) The provision of this section requiring that a certificate of registration be carried in the vehicle to which it refers, or by the person driving the same, shall not apply when such certificate of registration is used for the

¹State law reference

Tennessee Code Annotated, § 55-4-110.

²State law reference

Tennessee Code Annotated, § 55-4-108.

purpose of making application for renewal of registration or upon a transfer of the vehicle. (as added by Ord. #21-06, Dec. 2006)

15-130. Registration required before operation.¹ It is unlawful to operate any motor vehicle upon the streets and roadways unless such vehicle is properly registered in accordance with Tennessee law. (as added by Ord. #2-07, Feb. 2007)

15-131. License to be carried and exhibited upon demand.² It is unlawful for a person to operate a motor vehicle without having his or her driver's license in their immediate possession, or to fail to display such license upon the demand of any police officer, except where the licensee has previously deposited the license with the officer or court demanding bail, and has received a receipt from the officer or the court, the same is to serve as a substitute for the license until the specified date for court appearance of licensee or the license is otherwise returned to the licensee by the officer or court accepting the same for deposit. (as added by Ord. #2-07, Feb. 2007)

15-132. Notification of change of address and/or name.

(1) Whenever any person, after applying for or receiving a license, moves from the address named in the application or license, or when the name of a licensee is changed for any reason, the person shall within ten (10) days thereafter notify the department of safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection.

(2) Whenever any person, after applying for or receiving a title or registration, moves from the address named in the application or title or registration, or when the name of an applicant is changed for any reason, the person shall within ten (10) days thereafter, notify the department of safety of the change or changes. It is unlawful to fail to comply with the requirements of this subsection. (as added by Ord. #14-2015, Sept. 2015)

¹State law reference
Tennessee Code Annotated, § 55-4-101

²State law reference
Tennessee Code Annotated, § 55-50-351

CHAPTER 2

VEHICLE EQUIPMENT

SECTION

- 15-201. Horns and other warning devices generally.
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- 15-224. Electronic tracking of motor vehicles.
- 15-225. Radar jamming device.
- 15-226. Child passenger restraint systems.
- 15-227. Use of safety belts in passenger vehicles.
- 15-228. Illumination of registration (license) plate.

15-201. Horns and other warning devices generally. Every motor vehicle, when operated upon any street of the city, 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 (200) feet, and it shall be unlawful, except as otherwise provided in this chapter, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle. (1969 Code, § 24-36)

15-202. Limitation on use of horn or other warning device.

(1) It shall be unlawful for the owner or operator of any motor vehicle to blow or sound the horn or other warning device of such vehicle at any time on the streets of the city except as a necessary warning in an emergency when necessary to prevent an accident or injury to pedestrians or the drivers of other vehicles.

(2) It shall be unlawful for any person at any time to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device on a vehicle. (1969 Code, § 24-37)

15-203. Muffler required. No person shall drive a motor vehicle on any street 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. (1969 Code, § 24-38)

15-204. Muffler cutouts prohibited. It shall be unlawful for any person to use a muffler cutout on any motor vehicle upon a street in the city. (1969 Code, § 24-39)

15-205. Windshield wiper required. Every motor vehicle having a windshield shall be equipped with at least one (1) windshield wiper in good working condition for cleaning rain, snow or other moisture from the windshield in order to provide clear vision for the driver. (1969 Code, § 24-40)

15-206. Headlights required generally. Every motor vehicle, other than a motorcycle, motor scooter, motor bike, 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. (1969 Code, § 24-41)

15-207. Headlights required for motorcycles, motor scooters and motor bikes. Every motorcycle, motor scooter and motor bike shall be equipped with at least one (1) and not more than two (2) headlamps. (1969 Code, § 24-42)

15-208. Standards for headlights; times for display. (1) 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 discernible a person two hundred (200) feet 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 (½) hour after

sunset to one-half (½) 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 (200) feet 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.

(3) Any person convicted of a violation of subsection (2) shall not be assessed court costs.¹ (Ord. #2-95, Feb. 1995, § 2, as amended by Ord. #21-06, Dec. 2006)

15-209. Restriction of steady burning lights visible from front. No vehicle operated in this state shall be equipped with any steady-burning lights that display to the front of the vehicle in any color other than white or amber or in any combination of colors other than white and amber, except for the following vehicles:

(1) A vehicle equipped with headlamps, daytime running lamps, or other similar devices in any color or combination of colors between white and amber authorized by the Federal Motor Vehicle Safety Standard No. 108, as adopted by the national highway traffic safety administration and compiled in 49 CFR 571.108;

(2) A motor vehicle operated for the purposes of an emergency equipment company may display steady-burning red, white, blue, or amber lights, or any combination of steady-burning red, white, blue, and amber lights pursuant to Tennessee Code Annotated, § 55-9-402(9); provided, that emergency equipment company vehicles shall not display or illuminate the lights authorized by this section while the vehicle is on a public road, whether in motion or stationary;

(3) A school bus, a passenger motor vehicle operated by rural mail carrier of the United States postal service while performing the duties of a rural mail carrier, or an emergency vehicle used in firefighting, including ambulances, emergency vehicles used in firefighting that are owned or operated by the division of forestry, firefighting vehicles, rescue vehicles, privately owned vehicles of regular or volunteer firefighters certified in Tennessee Code Annotated, § 55-9-201(c), or other emergency vehicles used in firefighting owned, operated, or subsidized by the governing body of any county or municipality, may display steady-burning red lights; and

(4) Authorized law enforcement vehicles and other vehicles listed in Tennessee Code Annotated, § 55-9-414 may display steady-burning red, white, and blue lights in combination. (1969 Code, § 24-44, as replaced by Ord. #2-2018, March 2018)

¹State law reference

Tennessee Code Annotated, § 55-9-406.

15-210. Restriction of flashing lights visible from front. No vehicle operated in this state shall be equipped with any flashing lights in any color or combination of colors that display to the front of the vehicle, other than factory installed emergency flashers, except as provided in this section and for the following vehicles:

(1) Motorcycle escorts of properly identified funeral processions authorized by Tennessee Code Annotated, § 55-8-183 to display green strobe flashing lights;

(2) Vehicles owned by or leased to licensed public or private security services but not personally owned vehicles of security guards may display flashing lights in any color other than red, white, or blue, or in any combination of colors other than red, white, or blue; provided, that the flashing lights authorized by this subsection for security service vehicles shall not be operated or illuminated while the vehicle is on a public road, in motion or stationary, and shall only be illuminated when patrolling a shopping center or mall parking lot or other private premises or if stopped in a hazardous location for the purposes of warning;

(3) A highway maintenance or utility vehicle or recovery vehicle may display flashing white or amber lights or any combination of flashing white and amber lights pursuant to Tennessee Code Annotated, § 55-9-402(e);

(4) A motor vehicle operated for the purposes of an emergency equipment company pursuant to subsection (7) may display flashing red, white, blue, or amber lights or any combination of flashing red, white, blue, and amber lights; provided, that emergency equipment company vehicles shall not display or illuminate the lights authorized by this section while the vehicle is on a public road, whether in motion or stationary;

(5) A passenger motor vehicle operated by an organ procurement organization or a person under an agreement with an organ procurement organization may display flashing white or amber lights or flashing white and amber lights in combination when transporting an organ for human transplantation;

(6) A school bus, passenger motor vehicle operated by a rural mail carrier of the United States postal service while performing the duties of a rural mail carrier, or an emergency vehicle used in firefighting, including ambulances, emergency vehicles used in firefighting that are owned or operated by the division of forestry, firefighting vehicles, rescue vehicles, privately owned vehicles of regular or volunteer firefighters certified in Tennessee Code Annotated, § 55-9-201(c), or other emergency vehicles used in firefighting owned, operated, or subsidized by the governing body of any county or municipality, may display flashing red or white lights or flashing red and white lights in combination; and

(7) Authorized law enforcement vehicles and other vehicles authorized by Tennessee Code Annotated, § 55-9-414 to display flashing red, white, and

blue lights in combination. (1969 Code, § 24-45, as replaced by Ord. #2-2018 March 2018)

15-211. Tail lamp and stop light. Every motor vehicle shall be equipped with at least one red tail lamp on the rear of such vehicle and at least one red or amber stop light on the rear of such vehicle. The stop light shall be so arranged as to be actuated by the application of the service or foot brakes and shall be capable of being seen and distinguished from a distance of two hundred (200) feet to the rear of the motor vehicle in normal daylight, but shall not project a glaring or dazzling light. The stop light may be incorporated with the tail lamp. (1969 Code, § 24-46)

15-212. Use of multiple-beam lighting equipment. 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 by state law:

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

(2) When within five hundred (500) feet 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. (1969 Code, § 24-47)

15-213. Brakes generally. Every motor vehicle other than a motorcycle, motor scooter and motor bike, when operated upon a street, 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 of the vehicle. If these two (2) separate means of applying brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels. (1969 Code, § 24-48)

15-214. Brakes for motorcycles, motor scooters and motor bikes. Every motorcycle, motor scooter and bicycle with motor attached, when operated upon a street, shall be equipped with at least one (1) brake, which may be operated by hand or foot. (1969 Code, § 24-49)

15-215. Brakes for trailers and semitrailers. Every trailer or semitrailer of a gross weight of three thousand (3,000) pounds or more, when operated upon a street, shall be equipped with brakes adequate to control the movement of and stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab. Such brakes shall be so designed and connected that, in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied. (1969 Code, § 24-50)

15-216. Performance ability of brakes. (1) The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle or vehicles when traveling twenty (20) miles per hour within a distance of thirty (30) feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one percent (1%).

(2) Under the above conditions, the hand brake shall be adequate to stop such vehicle or vehicles within a distance of fifty-five (55) feet and such hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

(3) Under the above conditions, the service brakes upon a motor vehicle equipped with two (2) wheel brakes only, when permitted under this chapter, shall be adequate to stop the vehicle within a distance of forty (40) feet and the hand brake adequate to stop the vehicle within a distance of fifty-five (55) feet.

(4) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted in this chapter. (1969 Code, § 24-51)

15-217. Maintenance and adjustment of brakes. All brakes specified in this chapter shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (1969 Code, § 24-52)

15-218. Rearview mirror for trucks. Any motor truck using the streets, which, by reason of their construction, either loaded or unloaded, prevent the driver's view of the rear, shall be equipped with a mirror arranged in such a manner and maintained so that the driver or operator may view the roadway to the rear and note the approach of vehicles from the rear of such motor truck. (1969 Code, § 24-53)

15-219. Mudguards for trucks. No person shall operate upon a street any motor vehicle or combination of vehicles having a carrying capacity in excess of three thousand (3,000) pounds, which motor vehicle or combination of vehicles is not equipped with rear fenders, mud flaps or mudguards which shall be of such size as will substantially prevent the projection of rocks, dirt, water or other substances to the rear. (1969 Code, § 24-54)

15-220. Windshield for motorcycles and motor-driven cycles.

Every motorcycle or motor-driven cycle operated upon any highway or public road of this city shall be equipped with a windshield of a type approved by the state commissioner of safety. This section shall not apply if the operator and every passenger on such motorcycle or motor-driven cycle are wearing safety goggles in accord with § 15-113. (1969 Code, § 24-56)

15-221. Motor vehicle windows with tinting, reflecting or sun screen material. (1) It is unlawful for any person to operate, upon a public roadway, 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:

(a) Has a visible light transmittance of less than thirty-five percent (35%); or

(b) With the exception of the manufacturer's standard installed shade band, reduces the visible light transmittance in the windshield below seventy percent (70%).

(2) Any person who installs window tinting materials for profit, barter, or wages and/or commissions is defined as a "professional installer" for the provisions of this section, and it is unlawful for a professional installer to apply tinting materials to any vehicle so as to cause that vehicle to be in violation of this section. All professional installers of window tinting materials shall supply and shall affix to the lower right corner of the driver's window an adhesive label, the size and style of which shall be determined by the state commissioner of safety, which includes the installer's business name and the legend "Complies with Tennessee Code Annotated, § 55-9-107."

All professional installers of window tinting materials shall supply each customer with a signed receipt for each vehicle to which tinting materials have been applied which includes: the date of installation; the make, model, paint color and license plate number and state; the legend "Complies with Tennessee Code Annotated, § 55-9-107" at date of installation; and the legend "This receipt shall be kept with vehicle registration documents."

(3) The owner of any vehicle in question has the burden of proof that such vehicle is in compliance with the provisions of this section.

(4) Any vehicle model permitted by federal regulations to be equipped with certain windows tinted so as not to conform to the specifications of subsection (1)(a) is exempt from subsection (1)(a) with respect to those certain windows. Likewise, vehicles bearing commercial license plates or government service license plates that are used for law enforcement purposes shall be exempt from the specifications of subsection (1)(a) for those windows rearward of the front doors. This shall not be construed in any way to exempt the front

door windows of any vehicle of any kind from the specifications of subsection (1)(a).

(5) Notwithstanding the provisions of subsection (1) to the contrary, any person with a medical condition that is adversely affected by ultraviolet light may submit a statement to the commissioner from that person's physician certifying that the person has a medical condition which requires reduction of light transmission in the windows of such person's vehicle in excess of the standards established in subsection (1). The commissioner shall submit the certified statement to the department's medical review board for evaluation. If the review board finds the exemption warranted, it shall recommend that the commissioner authorize the exemption, and the degree of tinting exemption which is appropriate. The commissioner shall then supply a certificate or decal, indicating the degree of exemption, to the applicant who shall display it in the motor vehicle.

(6) It is probable cause for a full-time, salaried police officer of this state to detain a motor vehicle being operated on the public roadways in the city when such officer has a reasonable belief that the motor vehicle is in violation of subdivision (a)(1), for the purpose of conducting a field comparison test.

(7) It is unlawful for the operator of a motor vehicle to refuse to submit to the field comparison test when directed to do so by a full-time, salaried police officer, or for any person to otherwise violate any provisions of this section. (as added by Ord. #21-06, Dec. 2006)

15-222. Television in motor vehicles.¹ (1) No television screen or other device of a similar nature shall be installed or used in this state in any position or location in a motor vehicle where it may be visible to the driver, or where it may in any other manner interfere with the safe operation and control of the vehicle. It is unlawful for any person to install or cause to be installed a television screen or other device of a similar nature, in violation of the provisions of this section, or to operate upon the public roadways, or sell within this state, any motor vehicle which has a television screen or other device of a similar nature installed in violation of the provisions of this section.

(2) The prohibitions contained in this section do not apply to the following:

(a) Electronic displays used in conjunction with vehicle navigation systems;

(b) Closed circuit video monitors designed to operate only in conjunction with dedicated video cameras and used in rear-view systems on motor vehicles;

¹State law reference

Tennessee Code Annotated, § 55-9-105.

(c) Television receivers or monitors used in government-owned vehicles by law enforcement officers in the course of their official duties; and

(d) Computer or other electronic displays or monitors used in utility vehicles by employees of the utility in the course of their official duties; provided, however, such use shall only be permitted while the vehicle is stopped, standing or parked. For purposes of this subsection, "utility" means any person, municipality, county, metropolitan government, cooperative, board, commission, district, or any entity created or authorized by public act, private act or general law to provide electricity, natural gas, water, waste water services, telephone service or any combination thereof, for sale to consumers in any particular service area.

(3) This section does not apply to local, state or federal law enforcement officers who are engaged in the performance of their official duties. (as added by Ord. #21-06, Dec. 2006)

15-223. Obscene or patently offensive bumper stickers, window signs, etc., prohibited.¹ To avoid distracting other drivers and thereby reduce the likelihood of accidents arising from lack of attention or concentration, the display of obscene and patently offensive movies, bumper stickers, window signs or other markings on or in a motor vehicle which are visible to other drivers is prohibited and display of such materials shall subject the owner of the vehicle on which they are displayed, upon conviction, to a fine of not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00). "Obscene" or "patently offensive" has the meaning specified in Tennessee Code Annotated, § 39-17-901. (as added by Ord. #21-06, Dec. 2006)

15-224. Electronic tracking of motor vehicles.² (1) Except as provided in subsection (2), it is an offense for a person to knowingly install, conceal or otherwise place an electronic tracking device in or on a motor vehicle without the consent of all owners of such vehicle for the purpose of monitoring or following an occupant or occupants of such vehicle. As used in this section, "person" does not include the manufacturer of the motor vehicle.

(2) (a) It shall not be a violation if the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a law enforcement officer in furtherance of a criminal

¹State law reference
Tennessee Code Annotated, § 55-8-187.

²State law reference
Tennessee Code Annotated, § 39-13-606.

investigation and is carried out in accordance with applicable state and federal law.

(b) If the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a parent or legal guardian who owns or leases such vehicle, and if such device is used solely for the purpose of monitoring the minor child of such parent or legal guardian when such child is an occupant of such vehicle, then the installation, concealment or placement of such device in or on such vehicle without the consent of any or all occupants in such vehicle shall not be a violation.

(c) It shall also not be a violation of this section if the installing, concealing or placing of an electronic tracking device in or on a motor vehicle is for the purpose of tracking the location of stolen goods being transported in such vehicle or for the purpose of tracking the location of such vehicle if it is stolen.

(3) The provisions of this section shall not apply to a tracking system installed by the manufacturer of a motor vehicle. (as added by Ord. #21-06, Dec. 2006)

15-225. Radar jamming device.¹ (1) It is an offense for any person to knowingly possess or sell a radar jamming device.

(2) It is an offense for any person to knowingly operate a motor vehicle with a radar jamming device in the motor vehicle.

(3) The provisions of this section shall not apply to law enforcement officers acting in their official capacity.

(4) Any radar jamming device that is used in violation of this section is subject to seizure by any law enforcement officer and may be confiscated and destroyed by order of the court in which a violation of this section is charged.

(5) Definitions. (a) "Radar jamming device" means any active or passive device, instrument, mechanism, or equipment that is designed or intended to interfere with, disrupt, or scramble the radar or laser that is used by law enforcement agencies and officers to measure the speed of motor vehicles. Radar jamming device includes, but is not limited to, devices commonly referred to as "jammers" or "scramblers."

(b) "Radar jamming device" does not include equipment that is legal under FCC regulations, such as a citizens' band radio, ham radio, or any other similar electronic equipment. (as added by Ord. #21-06, Dec. 2006)

¹State law reference

Tennessee Code Annotated, § 39-16-610.

15-226. Child passenger restraint system.¹ (1) Any person transporting any child, under one (1) year of age, or any child, weighing twenty pounds (20 lbs.) or less, in a motor vehicle upon a public roadway in the city is responsible for the protection of the child and properly using a child passenger restraint system in a rear facing position, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions.

(2) Notwithstanding the provisions of City Code § 15-227, any person transporting any child, one (1) through three (3) years of age weighing greater than twenty pounds (20 lbs.), in a motor vehicle upon a public roadway in the city is responsible for the protection of the child and properly using a child passenger restraint system in a forward facing position, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions.

(3) Notwithstanding the provisions of City Code § 15-227, any person transporting any child, four (4) through eight (8) years of age and measuring less than four feet, nine inches (4' 9") in height, in a passenger motor vehicle upon a public roadway in the city is responsible for the protection of the child and properly using a belt positioning booster seat system, meeting federal motor vehicle safety standards in the rear seat if available or according to the child safety restraint system or vehicle manufacturer's instructions.

(4) If a child is not capable of being safely transported in a conventional child passenger restraint system as provided for in this section, a specially modified, professionally manufactured restraint system meeting the intent of this section shall be in use; provided, however, that the provisions of this subsection shall not be satisfied by use of the vehicle's standard lap or shoulder safety belts independent of any other child passenger restraint system. A motor vehicle operator who is transporting a child in a specially modified, professionally manufactured child passenger restraint system shall possess a copy of the physician's signed prescription that authorizes the professional manufacture of the specially modified child passenger restraint system.

(a) A person shall not be charged with a violation of this section if such person presents a copy of the physician's prescription in compliance with the provisions of this subsection to the arresting officer at the time of the alleged violation.

(b) A person charged with a violation of this section may, on or before the court date, submit a copy of the physician's prescription and evidence of possession of a specially modified, professionally manufactured child passenger restraint system to the court. If the court is satisfied that compliance was in effect at the time of the violation, the

¹State law reference

Tennessee Code Annotated, § 55-9-602.

charge for violating the provisions of this subsection (a) may be dismissed.

(5) In addition to or in lieu of the penalty imposed, persons found guilty of a first offense of violating subsections (1) through (4) may be required to attend a court approved offenders' class designed to educate offenders on the hazards of not properly transporting children in motor vehicles. A fee may be charged for such classes sufficient to defray all costs of providing such classes.

(6) Notwithstanding the provisions of City Code § 15-227, any person transporting any child, nine (9) through twelve (12) years of age, or any child through twelve (12) years of age, measuring four feet, nine inches (4' 9") or more in height, in a passenger motor vehicle upon a public roadway in the city is responsible for the protection of the child and properly using a seat belt system meeting federal motor vehicle safety standards. It is recommended that any such child be placed in the rear seat if available.

(7) Notwithstanding the provisions of City Code § 15-227, any person transporting any child, thirteen (13) through fifteen (15) years of age, in a passenger motor vehicle upon a public roadway in the city is responsible for the protection of the child and properly using a passenger restraint system, including safety belts, meeting federal motor vehicle safety standards.

(8) A person charged with a violation of subsection (6) or (7) may, in lieu of appearance in court, submit a fine of fifty dollars (\$50.00) to the city court clerk.

(9) No litigation tax shall be imposed or assessed against anyone convicted of a violation of subsection (6) or (7), nor shall any clerk's fee or court costs, including but not limited to any statutory fees of officers, be imposed or assessed.

(10) Notwithstanding any provision of law to the contrary, no more than one (1) citation may be issued for a violation of subsection (6) or (7) per vehicle per occasion. If the driver is neither a parent nor legal guardian of the child and the child's parent or legal guardian is present in the vehicle, the parent or legal guardian is responsible for ensuring that the provisions of subsection (6) or (7) are complied with. If no parent or legal guardian is present at the time of the violation, the driver is solely responsible for compliance with subsection (6) or (7). (as added by Ord. #21-06, Dec. 2006)

15-227. Use of safety belts in passenger vehicles.¹ (1) No person shall operate a passenger motor vehicle on any public roadway in the city unless such person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

¹State law reference

Tennessee Code Annotated, § 55-9-603.

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

(3) Notwithstanding any provision of this section to the contrary, no person between sixteen (16) years of age and up to and through the age of seventeen (17) years of age, shall operate a passenger motor vehicle, or be a passenger therein, unless such person is restrained by a safety belt at all times the vehicle is in forward motion. Notwithstanding subsection (4), the provisions of this subsection (3) shall apply to all occupants between sixteen (16) years of age and eighteen (18) years of age occupying any seat in a passenger motor vehicle.

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

(5) A law enforcement officer observing a violation of this section shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this section.

(6) Notwithstanding the provisions of subsection (4), no person with a learner permit or an intermediate driver license shall operate a passenger motor vehicle in this state unless such person and all passengers between the ages of four (4) and seventeen (17) years of age are restrained by a safety belt at all times the vehicle is in forward motion.

(7) 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.

(8) (a) Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00) for a first violation and fifty dollars (\$50.00) for a second or subsequent violation.

(b) Effective January 1, 2016, the fine amount shall increase to twenty-five dollars (\$25.00).

(9) No clerk's fee nor court costs, including, but not limited to, any statutory fees of officers, shall be imposed or assessed against anyone convicted of a violation of this section. No litigation tax levied shall be imposed or assessed against anyone convicted of a violation of this section.

(10) This section does not apply to:

(a) A passenger or operator with a physical disability which prevents appropriate restraint in a safety seat or safety belt; provided, that the condition is duly certified in writing by a physician who shall

state the nature of the disability, as well as the reason a restraint is inappropriate;

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

(c) Salespersons or mechanics employed by an automobile dealer who, in the course of their employment, test-drive a motor vehicle, if such dealership customarily test-drives fifty (50) or more motor vehicles a day, and if such test-drives occur within one (1) mile of the location of the dealership;

(d) Utility workers, water, gas and electric meter readers while the meter reader or utility worker is emerging from and reentering a vehicle at frequent intervals and operating the vehicle at speeds not exceeding forty miles per hour (40 mph);

(e) 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;

(f) A vehicle in use in a parade if operated at less than fifteen miles per hour (15 mph);

(g) A vehicle in use in a hayride if operated at less than fifteen miles per hour (15 mph); or

(h) A vehicle crossing a public roadway from one (1) field to another if operated at less than fifteen miles per hour (15 mph). (as added by Ord. #21-06, Dec. 2006, and amended by Ord. #14-2015, Sept. 2015)

15-228. Illumination of registration (license) plate. (1) For all motor vehicles that are factory-equipped to illuminate the registration (license) plate, the registration (license) plate shall be illuminated at all times that headlights are illuminated. This section is not applicable to antique vehicles as defined in Tennessee Code Annotated, § 55-4-111(b).

(2) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated, § 55-4-110(d)(3), a violation of this section is subject only to imposition of a fine of ten dollars (\$10.00) for a first violation and twenty dollars (\$20.00) for second and subsequent violations, and no litigation tax, clerk's fee, or court costs shall not be imposed.

(3) By Tennessee Code Annotated, § 55-4-110(d)(3), a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation. (as added by Ord. #14-2015, Sept. 2015)

CHAPTER 3**OPERATION OF VEHICLES GENERALLY****SECTION**

- 15-301. Prohibited use of hand-held mobile telephone in marked school zone; prohibited use of mobile telephone with hands-free device by person under 18.
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- 15-345. Accidents involving damage to vehicles.
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- 15-347. Obstruction to driver's view of driving mechanism.
- 15-348. Automated enforcement.
- 15-349. Texting while driving prohibited.

15-301. Prohibited use of hand-held mobile telephone in marked school zone; prohibited use of mobile telephone with hands-free device by person under 18. (1) As used in this section:

(a) "Hands-free device" means a device that is designed to allow two-way communication via mobile telephone without the necessity of holding the mobile telephone, such as a speakerphone or headset; and

(b) "Mobile telephone" means a cellular, analog, wireless, or digital device that provides for voice communication or for both voice and data communication. "Mobile telephone" does not include a two-way radio or push-to-talk device.

(2) (a) It is an offense for a person to knowingly operate a motor vehicle in any marked school zone in this state, when a warning flasher or flashers are in operation, and talk on a hand-held mobile telephone while the vehicle is in motion.

(b) It is a delinquent act for a person under eighteen (18) years of age to knowingly operate a motor vehicle on any road or highway in this state and talk on a mobile telephone that is equipped with a hands-free device while the vehicle is in motion.

(c) This section does not prohibit a person eighteen (18) years of age or older from operating a motor vehicle in any marked school zone in this state, when a warning flasher or flashers are in operation, and talking on a mobile telephone that is equipped with a hands-free device while the vehicle is in motion.

(3) This section shall not apply to the following persons:

(a) Officers of the state or of any county, city, or town charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;

(b) Campus police officers and public safety officers, as defined by Tennessee Code Annotated, § 49-7-118, when in the actual discharge of their official duties;

(c) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;

(d) Emergency management agency officers of the state or of any county, city, or town, when in the actual discharge of their official duties; and

(e) Persons using a mobile telephone to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property.

(3) (a) A violation of subsection (2)(a) is a Class C misdemeanor punishable only by a fine not to exceed fifty dollars (\$50.00); and

(b) A violation of subsection (2)(b) is punishable only by a fine not to exceed fifty dollars (\$50.00).

(5) Any person violating this section is subject to the imposition of court costs, including any statutory fees of officers; provided, that the court costs, including any statutory fees of officers, shall not exceed ten dollars (\$10.00). No state or local litigation taxes are applicable to a case prosecuted under this section.

(6) A traffic citation that is based solely upon a violation of this section is a nonmoving traffic violation and no points shall be added to a driver record for the violation. (1969 Code, § 24-85, as deleted by Ord. #5-07, April 2007, and added by Ord. #2-2018, March 2018)

15-302. Duty to drive on right side of roadway. (1) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement.

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

(c) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon.

(d) Upon a roadway designated and signposted for oneway traffic.

(2) Upon all roadways, any vehicle proceeding at less than normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or

when preparing for a left turn at an intersection or into a private road or driveway. (1969 Code, § 24-86)

15-303. Certain trucks to be operated in outer lanes of streets. No person shall operate a truck of a load capacity in excess of one and one-half (1½) tons on any street in the city except upon and within the lane adjacent to and nearest to the outside of the street. (1969 Code, § 24-87)

15-304. Blocking intersections prohibited. No person shall drive, park or stop a vehicle in an intersection in such a manner that the rightful use of such intersection is prevented. (1969 Code, § 24-88)

15-305. Passing vehicles proceeding in opposite direction. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one (1) line of traffic in each direction, each driver shall give to the other at least one-half (½) of the main-traveled portion of the roadway as nearly as possible. (1969 Code, § 24-89)

15-306. Passing vehicle proceeding in same direction--generally.

(1) Except as otherwise provided in § 15-307, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

(3) No vehicle shall at any time to 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 street where the driver's view is obstructed within three hundred (300) feet for such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(b) When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing.

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

The foregoing limitations of subsection (3) shall not apply upon a one-way roadway.

(4) When traveling within a school zone during recess, or while children are going to or leaving school during its opening or closing hours or during its lunch hours, while children are going to or leaving school grounds

during opening and closing hours of a school-sponsored after school program or before school program, or at any time while the lights are flashing indicating a speed limit of 15 m.p.h. (1969 Code, § 24-90, as amended by Ord. #9-02, May 2002)

15-307. Passing vehicle proceeding in same direction—on right side. (1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

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

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

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

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

(3) The driver of a vehicle may not overtake and pass upon the right of another vehicle when traveling within a school zone during recess, or while children are going to or leaving school during its opening or closing hours or during its lunch hours, while children are going to or leaving school grounds during opening and closing hours of a school-sponsored after school program or before school program, or at any time while the lights are flashing indicating a speed limit of 15 m.p.h. (1969 Code, § 24-91, as amended by Ord. #9-02, May 2002)

15-308. Passing vehicle proceeding in same direction—duty of driver of overtaken vehicle. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle, on audible signal, and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle. (1969 Code, § 24-92)

15-309. No-passing zone. The city manager is hereby authorized to determine those portions of any street where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to

an ordinarily observant person, every driver of a vehicle shall obey the directions thereof. (1969 Code, § 24-93)

15-310. One-way streets--designation. The city manager may designate any street or separate roadway for one-way traffic and shall erect appropriate signs giving notice thereof. (1969 Code, § 24-94)

15-311. One-way streets--vehicles to be driven only in designated direction. Upon a roadway designated and signposted for one-way traffic, a vehicle shall be driven only in the direction designated. (1969 Code, § 24-95)

15-312. Driving around rotary traffic island. A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (1969 Code, § 24-96)

15-313. Driving on roadways laned for traffic. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

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

(3) Official signs may be erected by the city manager directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction, regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign. (1969 Code, § 24-97)

15-314. Driving on divided streets. Whenever any street 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 for that purpose. (1969 Code, § 24-98)

15-315. Right-of-way at uncontrolled intersections. The driver of a vehicle approaching an intersection not controlled by a traffic sign or signal shall yield the right-of-way to a vehicle which has entered the intersection from a different street. When two (2) vehicles enter such an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right. (1969 Code, § 24-99)

15-316. Stop intersections. (1) The city manager is hereby authorized to designate through streets and to have stop signs erected at intersections requiring drivers to stop when approaching such through streets. The city manager is hereby further authorized to designate stop intersections and to have stop signs erected at one or more entrances thereto, although not a part of a designated through street.

(2) The driver of a vehicle approaching a stop sign erected pursuant to this section shall stop such vehicle before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway, before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.

(3) The driver of a vehicle who has stopped in accord with this section shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely as to constitute an immediate hazard, but such driver, having so yielded, may proceed and the drivers of all other vehicles approaching the intersection on the intersecting street shall yield the right-of-way to the vehicle proceeding into or across such street.

(4) Nothing in this code or the ordinance adopting this code shall be deemed to affect the validity of any ordinance heretofore passed designating any through street. (1969 Code, § 24-100)

15-317. Yield intersections. The city manager is hereby authorized to designate, by appropriate signs, intersections at which the drivers of vehicles shall yield the right-of-way to other vehicle approaching on another street. Whenever a "yield right-of-way" sign has been erected pursuant to this section, all drivers approaching such sign shall proceed with caution, slowing down or stopping, if necessary, so as not to interfere with traffic moving on the intersecting street, and such drivers shall not proceed into the intersecting street until such movement can be made with safety. (1969 Code, § 24-101)

15-318. Entering street from alley, building or private road or driveway. (1) The driver of a vehicle about to enter or cross a street from a private road or driveway shall yield the right-of-way to all vehicles approaching on the street.

(2) The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway. (1969 Code, § 24-102)

15-319. Turning movements generally. (1) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by § 15-320, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway, unless and until such movement can be made with reasonable safety.

(2) Turning on curve or crest of grade prohibited.¹ No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500'). (1969 Code, § 24-103, as amended by Ord. #21-06, Dec. 2006)

15-320. Required position and method of turning at intersections. Except as otherwise provided in § 15-321, the driver of a vehicle intending to turn at an intersection shall do so as follows:

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

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

(3) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one 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

¹State law reference

Tennessee Code Annotated, § 55-8-141.

intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

(4) Two-way left turn lanes.¹ Where a special lane for making left turns by drivers proceeding in opposite directions has been established:

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

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

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

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

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

(f) When vehicles enter the turn lane proceeding in opposite directions, the first vehicle to enter the lane shall have the right-of-way. (1969 Code, § 24-104, as amended by Ord. #21-06, Dec. 2006)

15-321. Markers, buttons or signs, regulating turns. The city manager may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in § 15-320 be traveled by vehicles turning at an intersection and, when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs. (1969 Code, § 24-105)

15-322. Right-of-way when turning left at intersection. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (1969 Code, § 24-106)

15-323. Limitations on turning around. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver

¹State law reference

Tennessee Code Annotated, § 55-8-140.

of any other vehicle approaching from either direction within five hundred (500) feet. (1969 Code, § 24-107)

15-324. Starting, stopping and turning signals--generally. Every driver of a vehicle who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety and, whenever the operation of any other vehicle may be affected by such movement, shall give a signal, plainly visible to the driver of such other vehicle, of his or her intention to make such movement. Such signal shall be given continuously for a distance of at least fifty (50) feet before stopping, turning, partly turning, or materially altering the course of the vehicle. The signal herein required shall be given by means of the hand and arm, or by some mechanical or electrical device approved by the state department of safety; provided, however, that any motor vehicle in use on a street shall be equipped with, and the required signal shall be given by, a signal lamp or lamps or mechanical signal device approved by the state department of safety, when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle and also to any combination of vehicles. (1969 Code, § 24-108)

15-325. Starting, stopping and turning signals--method of giving with hand and arm. Whenever the signal required by § 15-324 is given by means of the hand and arm, the driver shall indicate his or her intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle in the following manner:

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

(2) Right turn. For a right turn, or to pull to the right, the arm shall be extended upward.

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

(4) Starting. Drivers of vehicles standing or stopped at the curb or edge, before moving such vehicles, shall give signals of their intention to move into traffic, as hereinbefore provided, before turning in the direction the vehicle shall proceed from the curb. (1969 Code, § 24-109)

15-326. Starting, stopping and turning signals--change of direction after signal given. Drivers having once given a hand, electrical or mechanical device signal, must continue the course thus indicated, unless they alter the original signal and take care that drivers of vehicles and pedestrians have seen and are aware of the change. (1969 Code, § 24-110)

15-327. Starting, stopping and turning signals--duty of drivers receiving signal. Drivers receiving a signal from another driver shall keep their vehicles under complete control and shall be able to avoid an accident resulting from a misunderstanding of such signal. (1969 Code, § 24-111)

15-328. Duty to stop at railroad crossing upon approach of train.

(1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he or she can do so safely. The foregoing requirements shall apply when:

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

(b) A crossing gate is lowered or when a human flagperson gives or continues to give a signal of the approach or passage of a railroad train.

(c) A railroad train approaching within approximately one thousand five hundred (1,500) feet of the street crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard.

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

(2) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (1969 Code, § 24-112)

15-329. Duty to stop at designated dangerous railroad crossings.

The city manager, with the approval of the state department of highways and public works, is hereby authorized to designate particularly dangerous street grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected, the driver of any vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and shall proceed only upon exercising due care. (1969 Code, § 24-113)

15-330. [Deleted.] (1969 Code, § 24-114, as deleted by Ord. #17-06, Sept. 2006)

15-331. Sections 15-328, 15-329, and 15-330 do not affect rights in damage suits. None of the provisions of §§ 15-328, 15-329, and 15-330 shall be construed as abridging or in any way affecting the common law right of recovery of litigants in damage suits that may be pending or brought against any railroad company or other common carrier. (1969 Code, § 24-115)

15-332. Moving heavy equipment at railroad grade crossings.

(1) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of ten (10) or less miles per hour or a vertical body or load clearance of less than one-half ($\frac{1}{2}$) inch per foot of the distance between any two (2) adjacent axles or in any event of less than nine (9) inches, measured above the level surface of a railroad, upon or across any tracks at a railroad grade crossing without first complying with this section.

(2) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen (15) feet nor more than fifty (50) feet from the nearest rail of such railroad and, while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

(3) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagperson or otherwise of the immediate approach of a railroad train or car. If a flagperson is provided by the railroad, movement over the crossing shall be made under his or her direction. (1969 Code, § 24-116)

15-333. Limitations on backing. 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. (1969 Code, § 24-117)

15-334. Coasting prohibited. (1) The driver of any motor vehicle, when traveling upon a downgrade, shall not coast with the gears of such vehicle in neutral.

(2) The driver of a commercial motor vehicle, when traveling upon a downgrade, shall not coast with the clutch disengaged. (1969 Code, § 24-118)

15-335. Overtaking and passing church bus; discharging passengers. (1) The driver of a vehicle on a public roadway upon meeting or overtaking from either direction any church bus which has stopped on the public roadway 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. In order for this section to apply, the church bus shall be equipped with the same type of safety equipment indicating the bus has stopped as is required by state law¹ for school buses.

¹State law reference

Tennessee Code Annotated, § 55-8-151.

(2) All motor vehicles used in transporting passengers to and from churches in this state 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.

(3) The driver of a vehicle upon a public roadway 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 public roadway and where pedestrians are not permitted to cross the roadway. For the purposes of this subsection, "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(4) The church bus driver is required to stop such church bus on the right-hand side of the public roadway, 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 public roadway at that place have negotiated such crossing. (1969 Code, § 24-119, as deleted by Ord. #17-06, Sept. 2006, and replaced by Ord. #21-06, Dec. 2006)

15-336. Overtaking and passing youth bus; discharging passengers. (1) The driver of a vehicle on a public roadway upon meeting or overtaking from either direction any youth bus which has stopped on the public roadway for the purpose of receiving or discharging passengers shall stop the vehicle before reaching such youth bus, and the driver shall not proceed until such youth bus resumes motion or is signaled by the youth bus driver to proceed or the visual signals on the bus are no longer actuated. In order for this section to apply, the youth bus shall be equipped with the same type of safety equipment indicating the bus has stopped as is required by state law¹ for school buses. For the purposes of this section, "youth bus" means a motor vehicle designed for carrying not less than fifteen (15) passengers and used for the transportation of persons.

(2) All motor vehicles owned by corporations or organizations used in transporting child passengers to and from child care centers in this state or to and from the activities of religious, charitable, scientific, educational, youth service or athletic institutions or organizations are required to be distinctly marked "Youth 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

¹State law reference

Tennessee Code Annotated, § 55-8-151.

legible to persons approaching such youth bus, whether traveling in the same or the opposite direction.

(3) The driver of a vehicle upon a public roadway with separate roadways needs not stop upon meeting or passing a youth bus which is on a different roadway or when upon a controlled access highway and the youth bus is stopped in a loading zone which is a part of or adjacent to such public roadway and where pedestrians are not permitted to cross the roadway. For the purposes of this subsection, "separate roadways" means roadways divided by an intervening space which is not suitable to vehicular traffic.

(4) The youth bus driver is required to stop such youth bus on the right-hand side of the public roadway, 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 public roadway at that place have negotiated such crossing. (1969 Code, § 24-120, as deleted by Ord. #17-06, and replaced by Ord. #21-06, Dec. 2006)

15-337. Duties of driver of school bus when receiving or discharging passengers. A school bus driver is required to stop such school bus on the right-hand side of the road or street, and such driver shall cause the bus to remain stationary and the visual stop signs on the bus actuated until all schoolchildren who should be discharged from or received into the bus have been so discharged or received and until all children whose destination causes them to cross the road or street at that place have negotiated such crossing. (1969 Code, § 24-121)

15-338. 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 street.

(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 vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions. (1969 Code, § 24-122)

15-339. Following fire apparatus or driving near fire. The driver of a vehicle, other than one on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive or park such vehicle within five hundred (500) feet of any place where fire apparatus has stopped in answer to a fire alarm. (1969 Code, § 24-123)

15-340. Driving over fire hose. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (1969 Code, § 24-124)

15-341. Driving when view or control obstructed. (1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding four (4), as to obstruct the view of the driver to the front or sides of the vehicles or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his or her control over the driving mechanism of the vehicle. (1969 Code, § 24-125)

15-342. Use of mobile telephone by school bus drivers.¹ (1) No driver shall operate a school bus on a public roadway while using a hand held mobile telephone while such vehicle is in motion and such vehicle is transporting children; provided, however, that this section shall not apply to mobile telephone or two-way radio communications made to and from a central dispatch, school transportation department or its equivalent. For the purposes of this section, unless the context otherwise requires, "mobile telephone" means a cellular, analog, wireless or digital telephone.

(2) A violation of this section is punishable only by a fine of fifty dollars (\$50.00).

(3) It is an affirmative defense to prosecution under this section, which must be proven by a preponderance of the evidence, that the driver's use of a mobile telephone was necessitated by a bona fide emergency. (1969 Code, § 24-126, as deleted by Ord. #17-06, Sept. 2006, and replaced by Ord. #21-06, Dec. 2006)

15-343. Driving without due caution; drivers to exercise due caution. (1) It shall be unlawful for any person to operate a motor vehicle upon any public street in the city without due caution, at a speed and in a manner to

¹State law reference

Tennessee Code Annotated, § 55-8-192.

endanger any person or property, taking into consideration traffic and road conditions.

(2) Notwithstanding any speed limit or zone in effect at the time, or right-of-way rules that may be applicable, every driver of a motor vehicle shall exercise due care to avoid colliding with any other motor vehicle, either being driven or legally parked, upon any roadway, or any road sign, guard rail or any fixed object legally placed within or beside the right-of-way, by operating such motor vehicle at a safe speed, by maintaining a safe outlook, by keeping such motor vehicle under proper control and by devoting full time and attention to operating such motor vehicle, under the existing circumstances to avoid endangering life, limb or property.¹ (1969 Code, § 24-127, as amended by Ord. #21-06, Dec. 2006)

15-344. Through truck traffic on residential streets prohibited; exceptions. (1) The city manager is hereby authorized to prohibit through truck traffic on city residential streets or portions thereof subject to the provisions hereof. Upon determining that a residential street or portion thereof should be closed to through truck traffic, the city manager shall file a notice of such prohibition with the city clerk and the city court clerk. The notice shall include the name of the street and the portion upon which through truck traffic is prohibited. The city manager shall thereupon cause to be posted signs prohibiting through truck traffic at the beginning of the portions of such streets so affected.

(2) For the purpose of this section "truck" is defined as a truck larger than one (1) ton in size. A "residential street" is a street along which residential dwellings are primarily located. "Through truck traffic" is truck traffic along a residential street or portion thereof without an intended destination upon such street or portion thereof. This section is intended to prohibit through truck traffic along designated streets, and nothing herein shall prohibit trucks in excess of one (1) ton from making stops or deliveries to properties located along the portions of streets upon which through truck traffic has been prohibited. Nothing herein shall prohibit trucks of the city or public or private utilities from traveling upon such streets or portions thereof in the course of their business.

(3) The city manager is authorized but not required to issue permits for trucks in excess of one (1) ton for through travel upon such streets. Such permits shall be issued for isolated and temporary uses where there is no other reasonable route available to the intended destination. Such permits shall be carried at all times when the truck is traveling upon such streets.

(4) It shall be unlawful for anyone to drive a truck upon a street or portion thereof upon which truck traffic has been prohibited as provided herein,

¹State law reference

Tennessee Code Annotated, § 55-8-136.

and anyone found guilty of violating this section shall be subject to a fine of up to fifty dollars (\$50.00). (1969 Code, § 24-128)

15-345. Accidents involving damage to vehicle.¹ The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of such accident until that person has fulfilled the requirements of Tennessee Code Annotated, § 55-10-103 regarding the duty to give information and render aid. Every such stop shall be made without obstructing traffic more than is necessary. The requirements of this subsection (1) apply to accidents occurring upon public roadways and the premises of any shopping center, trailer park or any apartment house complex, or any other premises which are generally frequented by the public at large. (as added by Ord. #21-06, Dec. 2006)

15-346. Transporting child in truck bed.² (1) A person commits an offense who, on streets or public roadways within the city, transports a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter (3/4) ton and having a pickup body style.

(2) The provisions of this section do not apply to a person transporting such child in the bed of such vehicle when such vehicle is being used as part of an organized parade, procession, or other ceremonial event, and when such vehicle is not exceeding the speed of twenty miles per hour (20 mph). The provisions of this section do not apply when the child being transported is involved in agricultural activities. (as added by Ord. #21-06, Dec. 2006)

15-347. Obstruction to driver's view of driving mechanism.³ (1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding four (4), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

¹State law reference
Tennessee Code Annotated, § 55-10-102.

²State law reference
Tennessee Code Annotated, § 55-8-189.

³State law reference
Tennessee Code Annotated, § 55-8-165.

(2) No passenger in a vehicle shall ride in such position as to interfere with the driver's or operator's view ahead or to the sides, or to interfere with the driver's or operator's control over the driving mechanism of the vehicle. (as added by Ord. #21-06, Dec. 2006)

15-348. Automated enforcement. (1) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

(a) "Citations" and "warning notices" shall include:

(i) The name and address of the registered owner of the vehicle;

(ii) The registration plate number of the motor vehicle involved in the violation;

(iii) The violation charged;

(iv) The location of the violation;

(v) The date and time of the violation;

(vi) A copy of the recorded image;

(vii) The amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(viii) A signed statement by a member of the police department that, based on inspection of recorded images, the motor vehicle was being operated in violation of subsection (3) of this section; and

(ix) Information advising the person alleged to be liable under this section:

(A) Of the manner and time in which liability alleged in the citation occurred and that the citation may be contested in the city court; and

(B) Warning that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

(b) "In operation" means operating in good working condition.

(c) "Recorded images" means images recorded by a traffic control photographic system:

(i) On:

(A) A photograph;

(B) A microphotograph;

(C) An electronic image;

(D) Videotape; or

(E) Any other medium; and

(ii) At least one (1) image or portion of tape, clearly identifying the registration plate number of the motor vehicle.

(d) "System location" is the approach to an intersection toward which a photographic, video or electronic camera is directed and is in operation.

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

(f) "Vehicle owner" is the person identified by the state department of safety as the registered owner of a vehicle.

(2) General. (a) The chief of police or the police chiefs designee shall administer the traffic control photographic systems and shall maintain a list of system locations where traffic control photographic systems are installed.

(b) The city shall adopt procedures for the issuance of citations and warnings under this section. A citation or warning alleging that the violation of subsection (3) of this section occurred, sworn to or affirmed by officials or agents of the city, based on inspection of recorded images produced by a traffic control photographic system, shall be evidence of the facts contained therein and shall be admissible in any proceeding alleging a violation under this section. The citation or warning shall be forwarded by first-class mail to the owner's address as given on the motor vehicle registration. Personal service of process on the owner shall not be required.

(c) A notice of violation or citation shall allow for payment of such traffic violation or citation within thirty (30) days of the mailing of such notice. No additional penalty or other costs shall be assessed for non-payment of a traffic violation or citation that is based solely on evidence obtained from a surveillance camera installed to enforce or monitor traffic violations, unless a second notice is sent by first class mail to the registered owner of the motor vehicle and such second notice provides for an additional thirty (30) days for payment of such violation or citation.

(d) Signs to indicate the use of traffic control photographic systems shall be clearly posted.

(3) Offense. (a) It shall be unlawful for a vehicle to cross the stop line at a system location, or for a vehicle to drive at a speed exceeding the posted speed limit, or for a vehicle to violate any other traffic regulation specified in title 15 of the city code.

(b) A person who receives a citation under subsection (3) may:

(i) Pay the civil penalty, in accordance with instructions on the citation, directly to the city court; or

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

(c) The owner of a vehicle shall be responsible for a violation under this section, except when he or she can provide evidence that the vehicle was in the care, custody, or control of another person at the time of the violation, as described in subsection (3)(d) of this section, in which circumstance the person who had the care, custody, and control of the vehicle at the time of the violation shall be responsible.

(d) Notwithstanding subsection (3)(c) of this section, the owner of the vehicle shall not be responsible for the violation if, on the designated court date, he or she furnishes the city court:

(i) An affidavit by him or her stating the name and address of the person or entity who leased, rented, or otherwise had the care, custody, and control of the vehicle at the time of the violation; or

(ii) An affidavit by him or her stating that, at the time of the violation, the vehicle involved or its plates were stolen, and that he or she was not the operator of the vehicle. This affidavit must be accompanied by a certified copy of the police reporting reflecting such theft and the affidavit must be provided by the registered owner within thirty (30) days of the mailing date of the notice of violation.

(4) Penalty. (a) Any violation of subsection (3) of this section shall subject the responsible person or entity to a civil penalty of fifty dollars (\$50.00), without assessment of court costs or fees. Failure to pay the civil penalty or appear in court to contest the citation on the designated date shall subject the responsible person or entity to assessment of court costs and fees as set forth in the city code. The city may establish procedures for the trial of civil violators, and the collection of civil penalties and may enforce the penalties by a civil action in the nature of a debt.

(b) A violation for which a civil penalty is imposed under this section shall not be considered a moving violation and may not be recorded by the police department or the state department of safety on the driving record of the owner or driver of the vehicle and may not be considered in the provision of motor vehicle insurance coverage.

(5) Exemptions. The following vehicles are exempt from receiving a notice of violation:

(a) Emergency vehicles with active emergency lights;

(b) Vehicles moving through the intersection to avoid or clear the way for a marked emergency vehicle;

(c) Vehicles under police escort; and

(d) Vehicles in a funeral procession. (as added by Ord. #13-08, April 2008, and amended by Ord. #28-08, Sept. 2008)

15-349. Texting while driving prohibited. (1) For the purposes of this section, unless the context requires otherwise, the following definitions apply:

(a) "Mobile telephone" means a cellular, analog, wireless or digital device that provides for voice communication and for data communication other than by voice; and

(b) "Personal digital assistant" means a wireless electronic communication device that provides for data communication other than by voice.

(c) "Hands-free device" means a device that is designed to allow communication via mobile telephone or personal digital assistant without the necessity of holding the mobile telephone or personal digital assistant, such as a speakerphone or headset;

(2) (a) No person while driving a motor vehicle on any public road or highway shall use a hand-held mobile telephone or a hand-held personal digital assistant to transmit or read a written message; provided, that a driver does not transmit or read a written message for the purpose of this subsection (2) if the driver reads, selects, or enters a telephone number or name in a hand-held mobile telephone or a personal digital assistant for the purpose of making or receiving a telephone call.

(b) It is a delinquent act for a person under eighteen (18) years of age to knowingly operate a motor vehicle on any road or highway in this state and use a mobile telephone or personal digital assistant that is equipped with a hands-free device to transmit or read a written message.

(c) This section does not prohibit a person eighteen (18) years of age or older from operating a motor vehicle on any road or highway in this state and using a mobile telephone or personal digital assistant that is equipped with a hands-free device to transmit or read a written message.

(3) This section shall only apply to a person driving a motor vehicle that is in motion at the time a written message from a mobile telephone or hand-held personal digital assistant is transmitted or read by the person.

(4) It is unlawful to fail to comply with the requirements of this section. By Tennessee Code Annotated, § 55-8-1 99, a violation of this section is subject only to imposition of a fine not to exceed fifty dollars (\$50.00) and court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section.

(5) By Tennessee Code Annotated, § 55-8-199, this section shall not apply to the following persons:

(a) Officers of the state or of any county, city, or town charged with the enforcement of the laws of the state, when in the actual discharge of their official duties;

(b) Campus police officers and public safety officers, as defined by Tennessee Code Annotated § 49-7-1 18, when in the actual discharge of their official duties;

(c) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and

(d) Emergency management agency officers of the state or of any county, city, or town, when in the actual discharge of their official duties.

(e) Persons using a mobile telephone or personal digital assistant to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property.

(6) By Tennessee Code Annotated, § 55-8-199, a traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation and no points shall be added to a driver record for the violation. (as added by Ord. #14-2015, Sept. 2015, and amended by Ord. #2-2018, March 2018)

CHAPTER 4

TRAFFIC CONTROL DEVICES

SECTION

15-401. Obedience to devices; leaving roadway in order to avoid compliance.

15-402. When signs required.

15-403. Requirements for stop signs.

15-404. Traffic-control signal legend generally.

15-405. Flashing signals.

15-406. Unauthorized signs, signals, etc.

15-407. Altering, injuring, etc., devices.

15-401. Obedience to devices; leaving roadway in order to avoid compliance. (1) The drivers of vehicles and pedestrians shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

(2) It shall be unlawful for the operator of any vehicle to leave the roadway and travel across private property, or public property devoted to other than highway use, to avoid compliance with an official traffic signal or an official traffic sign or for the purpose of avoiding obedience to directions given by a police officer or any traffic regulation or ordinance. (Ord. #2-95, Feb. 1995, § 1)

15-402. When signs required. No provisions of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. When a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. (1969 Code, § 24-140)

15-403. Requirements for stop signs. (1) Every stop sign shall bear the word "stop" in letters not less than eight (8) inches in height and such sign shall, at nighttime, be rendered luminous by steady or flashing internal illumination, or by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign.

(2) Every stop sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as close as practicable to the nearest line of the roadway. (1969 Code, § 24-141)

15-404. Traffic-control signal legend generally. Whenever traffic is controlled by traffic-control signals exhibiting the words "Go," "Caution" or

"Stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and such terms and lights shall indicate and apply to drivers or 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 either such turn, but vehicular traffic, including vehicles turning right and 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) Yellow alone or "Caution" when shown following the green or "Go" signal. (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 cross the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) 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.

(b) No pedestrian facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

(4) 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) No pedestrian facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

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 at the signal. (1969 Code, § 24-142)

15-405. Flashing signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, and such light is clearly visible for a sufficient distance ahead to permit such stopping, 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 rapid 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. The conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in chapter 3 of this title. (1969 Code, § 24-143)

15-406. Unauthorized signs, signals, etc. (1) 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 device or railroad sign or signal, or which attempts to direct the movements of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit on any street any traffic sign or signal bearing thereon any commercial advertising.

(2) This section shall not be deemed to prohibit the erection, upon private property adjacent to streets, of signs giving useful directional information and of a type which cannot be mistaken for official signs.

(3) Every sign, signal or marking prohibited by this section is hereby declared to be a public nuisance and the city manager is hereby empowered to remove the same, or cause it to be removed, without notice. (1969 Code, § 24-144)

15-407. Altering, injuring, etc., devices. 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 thereon, or any part thereof. (1969 Code, § 24-145)

CHAPTER 5

SPEED REGULATIONS

SECTION

- 15-501. Maximum limits generally.
- 15-502. School zone speed limits.
- 15-503. Maximum limits on specific streets--twenty-five miles per hour.
- 15-504. Maximum limits on specific streets--thirty miles per hour.
- 15-505. Maximum limits on specific streets--thirty-five miles per hour.
- 15-506. Maximum limits on specific streets--forty miles per hour.
- 15-507. Maximum limits on specific streets--forty-five miles per hour.
- 15-508. Maximum limits on specific streets--fifty miles per hour.
- 15-509. Maximum limits on specific streets--fifty-five miles per hour.
- 15-510. Minimum speed.
- 15-511. Speed limit signs.
- 15-512. Reduction of speed limits during periods of street construction or improvement.
- 15-513. Lower speed limits allowed.
- 15-514. Maximum speed limits on specific streets – fifteen miles per hour.

15-501. Maximum limits generally. Except as otherwise provided in this chapter, all roads, streets and lanes open to public travel in the city are hereby zoned for a maximum speed limit of twenty-five (25) miles per hour and it shall be unlawful for any person to operate any vehicle at a speed in excess of such limit. (1969 Code, § 24-156)

15-502. School zone speed limits. (1) Pursuant to Tennessee Code Annotated, § 55-8-152(d)(1)(A), the city manager is hereby authorized to establish special school speed limit zones upon any public roadway, except for controlled access highways, provided the following conditions are met:

- (a) The special school speed limit shall be based upon an engineering investigation.
- (b) The special school speed limit shall not be less than fifteen (15) miles per hour.
- (c) The special school speed limit shall only be enforced when proper signs are posted with a warning flasher or flashers in operation and only when children are actually present.

It shall be unlawful for any person to violate any such special school speed limit enacted and in effect in accordance with this subsection.

(2) When the city has not established a special school speed limit pursuant to subsection (1) above, the speed limit for the school zone shall be fifteen (15) miles per hour. It shall be unlawful for any person to operate any vehicle at a speed in excess of fifteen (15) miles per hour when passing a school

during recess, or while children are going to or leaving school during its opening or closing hours. For school zone speed limit signs equipped with warning flashers, such speed limit shall be in effect and subject to enforcement only while flashers are in operation. For school zone speed limit signs that are not equipped with warning flashers, such speed limit shall be in effect and subject to enforcement for a period of ninety (90) minutes before the opening hour of the school and for a period of ninety (90) minutes after the closing hour of the school.

(3) For speeding violations occurring during school zone speed limits, the city shall not defer imposition of judgment or allow the defendant to enter into a diversion program, including but not limited to a driver education training course, that would prevent such defendant's conviction for the violation from appearing on the person's driving record with the Tennessee Department of Safety. (1969 Code, § 24-157, as replaced by Ord. #4-07, April 2007, and amended by Ord. #08-2014, Aug. 2014)

15-503. Maximum limits on specific streets--twenty-five miles per hour. A maximum speed limit of twenty-five (25) miles per hour is hereby established on the following streets and roads, or parts thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess thereof:

- (1) Pumphouse Road for its entire length.
- (2) Bulls Bluff Road for its entire length. (1969 Code, § 24-157.1)

15-504. Maximum limits on specific streets--thirty miles per hour. A maximum speed limit of thirty (30) miles per hour is hereby established on the following streets and roads, or parts thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess thereof:

- Commerce Park Drive for its entire length. (1969 Code, § 24-157.2)

15-505. Maximum limits on specific streets--thirty-five miles per hour. A maximum speed limit of thirty-five (35) miles per hour is hereby established on the following streets or portions thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess of such limit:

- (1) Blair Road for its entire length between Oak Ridge Turnpike and the north city limit boundary.
- (2) Tulsa Road for its entire length.
- (3) Lafayette Drive from Oak Ridge Turnpike to a point three hundred (300) feet south of Gettysburg Avenue.
- (4) Oak Ridge Turnpike from a point one thousand three hundred feet (1,300') west of Illinois Avenue to a point three hundred feet (300') east of Georgia Avenue.
- (5) ORAU Way for its entire length.
- (6) Rutgers Avenue between Oak Ridge Turnpike and South Illinois Avenue.

- (7) Tulane Avenue between South Illinois Avenue and Oak Ridge Turnpike.
- (8) Tuskegee Drive between Benedict Avenue and South Illinois Avenue.
- (9) Fairbanks Road between Oak Ridge Turnpike and Emory Valley Road.
- (10) Laboratory Road for its entire length.
- (11) East Tulsa Road for its entire length.
- (12) East Division Road for its entire length.
- (13) Gum Hollow Road from the Oak Ridge Turnpike to a point eight hundred fifty (850) feet north of the centerline of Glassboro Drive.
- (14) Briarcliff Avenue between Laboratory Road and Fairbanks Road. (1969 Code, § 24-158, as amended by Ord. #5-98, Feb. 1998, Ord. #29-08, Sept. 2008, and Ord. #21-10, Dec. 2010)

15-506. Maximum limits on specific streets--forty miles per hour.

A maximum speed limit of forty (40) miles per hour is hereby established on the following streets or portions thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess of such limit:

- (1) South Illinois Avenue from Oak Ridge Turnpike to Lafayette Drive.
- (2) North Illinois Avenue for its entire length between the Oak Ridge Turnpike and the north city limit line.
- (3) Emory Valley Road from a point one hundred fifty (150) feet west of the western entrance to Dana Drive westward to Lafayette Drive.
- (4) Melton Lake Drive from a point thirteen hundred and forty (1,340) feet north of Rivers Run Boulevard south to Edgemore Road (State Route 170).
- (5) Oak Ridge Turnpike from a point one thousand three hundred (1,300) feet west of Illinois Avenue to a point seven hundred (700) feet west of Jefferson Avenue. (1969 Code, § 24-158.1, as amended by Ord. #6-07, May 2007, and Ord. #21-10, Dec. 2010)

15-507. Maximum limits on specific streets--forty-five miles per hour. A maximum speed limit of forty-five (45) miles per hour is hereby established on the following streets or portions thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess of such limit:

- (1) Bethel Valley Road beginning at Edgemoor Road to a point six thousand (6,000) feet west of Scarboro Road, and from a point twelve hundred (1200) feet west of the Roane-Anderson County line to White Wing Road (SR-95).
- (2) Emory Valley Road from a point one hundred fifty (150) feet west of the western entrance to Dana Drive eastward to Melton Lake Drive.
- (3) Lafayette Drive from South Illinois Avenue to a point three hundred (300) feet south of Gettysburg Avenue.

(4) Oak Ridge Turnpike between the L & N Railroad underpass and a point three hundred (300) feet east of Georgia Avenue; and from a point three hundred eighty (380) feet west of Oklahoma Avenue to a point two hundred (200) feet west of the west Rarity Oaks Parkway access; and from a point two thousand eight hundred (2,800) feet west of Blair Road to a point eight thousand (8,000) feet west of Blair Road.

(5) Scarboro Road, for its entire length from South Illinois Avenue to Bethel Valley Road.

(6) Melton Lake Drive from Oak Ridge Turnpike (State Route 95) south to a point thirteen hundred and forty (1,340) feet north of Rivers Run Boulevard.

(7) South Illinois Avenue from its intersection with Lafayette Drive to 550 feet south of its intersection with Union Valley Road.

(8) Bear Creek Road, from Scarboro Road to a point 2.4 miles west. (1969 Code, § 24-159, as amended by Ord. #6-03, Jan. 2003, Ord. #23-03, Dec. 2003, Ord. #6-07, May 2007, Ord. #12-09, July 2009, and Ord. #21-10, Dec. 2010)

15-508. Maximum limits on specific streets--fifty miles per hour.

A maximum speed limit of fifty (50) miles per hour is hereby established on the following streets or portions thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess of such limits:

(1) South Illinois Avenue beginning five hundred fifty (550) feet south of its intersection with Union Valley Road to a point three thousand five hundred eighty (3,580) feet south of its intersection with Union Valley Road.

(2) Oak Ridge Turnpike from a point seven hundred (700) feet west of Jefferson Avenue to a point three hundred eighty (380) feet west of Oklahoma Avenue. (Ord. #23-03, Dec. 2003, as amended by Ord. #21-10, Dec. 2010)

15-509. Maximum limits on specific streets--fifty-five miles per hour. A maximum speed limit of fifty-five (55) miles per hour is hereby established on the following streets or portions thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess of such limit:

(1) Edgemoor Road, from a point five hundred (500) feet east of Solway Bridge east to the city limits.

(2) Bear Creek Road, from the Oak Ridge Turnpike at Gallaher Bridge to a point two and four tenths (2.4) miles west of Scarboro Road.

(3) Bethel Valley Road from a point six thousand (6,000) feet west of Scarboro Road to a point twelve hundred (1,200) feet west of the Roane-Anderson County line.

(4) Oak Ridge Turnpike from State Route 61 to the L & N Railroad underpass; and from a point two hundred (200) feet west of the west Rarity Oaks Parkway access to a point two thousand eight hundred (2,800) feet west of Blair Road; and from a point eight thousand (8,000) feet west of Blair Road to Bear Creek Road at Gallaher Bridge.

(5) White Wing Road from the Oak Ridge Turnpike to White Wing Bridge.

(6) South Illinois Avenue beginning 3,580 feet south of its intersection with Union Valley Road to the south city limit line. (1969 Code, § 24-160, as amended by Ord. #23-03, Dec. 2003, and Ord. #12-09, July 2009)

15-510. Minimum speed. No person shall drive a vehicle upon any street at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operations or in compliance with law. (1969 Code, § 24-163)

15-511. Speed limit signs. Except for roads, streets and lanes open to public travel with a twenty-five (25) mile per hour maximum speed limit as set forth in § 15-501, the city manager shall cause to be erected appropriate signs giving notice of the maximum speed limits on roads, streets and lanes open for public travel and no such limit shall be enforced unless such signs are so erected and in place at the time of any alleged violation. (1969 Code, § 24-164, as amended by Ord. #4-07, April 2007 and replaced by Ord. #13-07, July 2007)

15-512. Reduction of speed limits during periods of street construction or improvement. The city manager is authorized to reduce speed limits for a period not to exceed three (3) months upon or in the immediate vicinity of any street within the city during periods of construction or improvements to such streets. In such event, the city manager shall file with the city clerk a notice of reduction of speed limit which shall include the maximum allowable reduced speed and shall identify the portion of such street or streets to which the reduced limits apply at which time the reduced speed limit shall become effective. The city manager shall notify council of such reduction at the first regularly scheduled council meeting thereafter. The city council may by resolution extend the period of time for the reduced speed limit past three months for such length of time it deems necessary. The city manager shall cause to be erected appropriate signs to give notice of the reduced speed limit. (1969 Code, § 24-165)

15-513. Lower speed limits allowed. When design speeds or plans for a road, street and/or lane open to public travel necessitate a speed limit lower than the general maximum speed limit of twenty-five (25) miles per hour as set forth in § 15-501, the city manager may designate a lower speed limit on such road, street or lane and shall cause to be erected an appropriate sign giving notice of the maximum speed limit for such road, street or lane. (as added by Ord. #13-07, July 2007)

15-514. Maximum speed limits on specific streets – fifteen miles per hour. A maximum speed limit of fifteen (15) miles per hour is hereby

established on the following streets and roads, or parts thereof, and it shall be unlawful for any person to operate a vehicle at a speed in excess thereof:

(1) Tuskegee Drive beginning at Wiltshire Drive and extending to a point the lies 0.57 miles west of TeeJay Drive. (as added by Ord. #2-10, Feb. 2010)

CHAPTER 6

STOPPING, STANDING AND PARKING

SECTION

- 15-601. Equal rights to parking spaces for motorized vehicles, exceptions.
- 15-602. On main-traveled portion of street.
- 15-603. Prohibited in specified places.
- 15-604. Unattended vehicles.
- 15-605. Method of parking.
- 15-606. Prohibited or limited parking on specific streets.
- 15-607. Removal of vehicles obstructing traffic.
- 15-608. Prohibited parking of nonmotorized vehicles.
- 15-609. Prohibited parking of any motorized or nonmotorized vehicle for sale on city streets or rights-of-way.
- 15-610. Reserved parking for disabled persons.
- 15-611. Loading and unloading zones.
- 15-612. Public endangerment or emergency conditions.
- 15-613. Emergency parking signs.
- 15-614. Exemption.
- 15-615. Registered owner presumption; owner responsibility.
- 15-616. Parking of junked vehicles in on-street parking spaces prohibited.
- 15-617. Parking of recreational vehicles and utility trailers in marked and unmarked on-street parking spaces.

15-601. Equal rights to parking spaces for motorized vehicles, exceptions. Unless specifically designated by a city-authorized sign, all persons parking motorized vehicles (except recreational vehicles) have equal rights and privileges to any parking space on all public streets. The parking of recreational vehicles in any parking space on public streets is governed by City Code § 15-617. (1969 Code, § 24-174, as replaced by Ord. #03-2012, April 2012)

15-602. On main-traveled portion of street. (1) No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of a street, when it is practicable to stop, park or so leave such vehicle off such part of the street, and in every event, an unobstructed width of the street opposite a standing vehicle of not less than eighteen (18) feet shall be left for the free passage of other vehicles; provided that streets of twenty-two (22) feet in width or less accepted by the city prior to July 1, 1991, must provide a minimum width of sixteen (16) feet for free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of two hundred (200) feet in each direction upon such street.

(2) This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a street in such manner

and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

(3) The provisions of this section shall not apply to the driver of any vehicle operating as a carrier of passengers for hire and holding a certificate of convenience and necessity or interstate permit issued by the Tennessee Public Service Commission or any local regulatory transit authority of Tennessee authorizing the operation of such vehicle upon the roads, streets or highways in Tennessee, while taking passengers on such unobstructed lane of travel of the street opposite such standing vehicle shall be left for free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of two hundred (200) feet in either direction upon the street. (1969 Code, § 24-175)

15-603. Prohibited in specified places. (1) No person shall stop, stand or park a vehicle within the corporate limits of the city, nor shall any owner allow a vehicle to be parked within the city, except in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

- (a) On any sidewalk or pedestrian walking area located within the right-of-way.
- (b) In front of a public or private driveway.
- (c) Within fifteen (15) feet of a fire hydrant.
- (d) On a crosswalk.
- (e) Within twenty (20) feet of a crosswalk at an intersection.
- (f) Within thirty (30) feet of flashing beacon, stop sign or traffic control signal located at the side of a roadway.
- (g) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a legally constituted traffic authority indicates a different length by signs or markings.
- (h) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (i) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of said entrance when property sign posted.
- (j) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (k) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (l) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- (m) At any place where official signs prohibit stopping, standing or parking.

(n) At any place where official yellow curbing, lines or markings are painted or exhibited on a city road, public street or public parking lot.

(o) In any approved fire lane where the curb has been painted yellow and where approved signs or markings indicate a fire lane. This includes officially designated fire lanes on both public and private property.

(p) On any city or state right-of-way between the roadway curb or edge of pavement, and the edge of the right-of-way.

(q) On private property, other than parking lots or other designated parking areas without the express consent of an owner, tenant, occupant, or other person lawfully entitled to possession of the property.

(r) In a public or private parking lot or other designated parking area, after the driver or registered owner of the vehicle has been notified to remove the vehicle by an owner or authorized agent of the owner of the property on which the parking lot or area is located.

(s) In a public or private parking lot or other designated parking area, for more than twenty-four (24) hours without the express permission of an owner, or authorized agent of the owner of the property on which the parking lot or area is located.

(t) On a public street for the purpose of repair or servicing, except to make repairs necessitated by emergency.

(u) On or over the curb of any public street.

(v) Outside of any marked parking space lines on any public street. This does not preclude the ability to park in unmarked parking spaces provided such parking is allowed, however, it does require a vehicle parked in marked on-street parking to be contained entirely within the marked space (white lines and curbing).

(2) The requirements of this section apply to the entire portion of the vehicle, including but not limited to side mirrors and tailgates, and to any items placed on said vehicle that are not completely contained within said vehicle, including but limited to protruding lumber or other materials. If any portion of the vehicle or any items placed on said vehicle are within any of the prohibited parking areas set forth in subsection (1) above, the vehicle is parked unlawfully. For example, if a vehicle's side mirrors overhang onto the sidewalk or if materials protrude from the vehicle and overhang the marked parking lines, the vehicle is parked unlawfully. (1969 Code, § 24-176, as amended by Ord. #03-2012, April 2012)

15-604. Unattended vehicle. No person driving or in charge of a motor vehicle shall permit it to stand unattended on any street without first stopping the motor, removing the ignition key, and effectively setting the brake thereon

and, when standing upon any grade, turning the front wheels of such vehicle toward the nearest curb or gutter of the street. (1969 Code, § 24-177)

15-605. Method of parking. (1) Every vehicle parked or standing unattended upon any two-way street, road, avenue or other public way within the city shall be so parked or stopped in the direction of the flow of traffic with the right hand wheels parallel to and within twelve inches (12") street side of the right hand curb or edge of the roadway. Every vehicle parked or standing unattended upon any one-way street, road, avenue or other public way within the city shall be so parked or stopped in the direction of the flow of traffic with its right hand wheels parallel to and within twelve inches (12") street side of the right hand curb or edge of the roadway, or its left hand wheels parallel to and within twelve inches (12") street side of the left hand curb or edge of the roadway, whichever is applicable. Where parking stalls or spaces are marked or designated as such on the curbs or pavement, vehicles shall be parked or stopped only within such designated stalls or spaces with the vehicle headed in the direction of the flow of traffic or an angle indicated by appropriate markings.

(2) The city manager is hereby authorized to allow parking against the traffic flow on designated streets if, in the determination of the city manager, a greater traffic hazard is avoided by allowing parking against the flow of traffic. Such designation shall be in writing with one copy filed with the chief of police and one copy filed in the office of the city clerk.

(3) The city manager is hereby authorized to designate portions of rights-of-way for parking if in the determination of the city manager there is a shortage of available on- and off-street parking and the allowance off such parking will not constitute a traffic safety hazard. The city manager can impose such conditions on parking in such areas as reasonable to protect the right-of-way and to ensure the traffic safety. (1969 Code, § 24-178, as amended by Ord. #03-2012, April 2012)

15-606. Prohibited or limited parking on specific streets. The city manager is hereby authorized to designate streets or portions of streets where the parking of vehicles is prohibited or limited and to erect signs or other markings giving notice of such prohibition or limitation. It shall be unlawful for any person to park any vehicle in violation of any such sign or marking. (1969 Code, § 24-179)

15-607. Removal of vehicles obstructing traffic. If a vehicle obstructing traffic upon any street is unattended, the city manager is hereby authorized to provide for the removal of such vehicle to a garage or other place of safety at the expense of the owner. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or a hazard. (1969 Code, § 24-180)

15-608. Prohibited parking of nonmotorized vehicles. The city manager shall have the authority to prohibit the parking of nonmotorized vehicles upon the city's streets where limited parking is available upon such streets or where the parking of such vehicles would cause traffic hazard, congestion, and/or undue inconvenience to the operators of motor vehicles seeking places to park their vehicles. (1969 Code, § 24-181)

15-609. Prohibited parking of any motorized or nonmotorized vehicle for sale on city streets or rights-of-way. No person shall park any vehicle, boat, trailer, camper, or other motorized or nonmotorized vehicle upon any city street, right-of-way, or parking space, with any sign affixed thereto or any writing, marking, or other designation upon such vehicle indicating the vehicle is for sale. (1969 Code, § 24-182)

15-610. Reserved parking for disabled persons. (1) The city manager is hereby authorized to designate by the installation of appropriate signs, parking spaces for the exclusive use of disabled drivers in those publicly maintained areas where a significant demand for parking by such persons exists. This may include areas in residential and business, as well as publicly owned parking lots.

(2) Any merchant or owner of a privately-owned parking lot for use by the general public is hereby authorized to designate by the installation of appropriate signs, parking spaces for the exclusive use of disabled drivers.

(3) Where signs bearing the official wheelchair disabled symbol are erected designating reserved parking spaces for disabled drivers, no person except disabled drivers or qualified operators in the presence of and acting under the express direction of a disabled driver shall stand or park a vehicle in any such space, and provided further that only vehicles displaying approved license plates, or placards appropriately displayed on said vehicles shall park in such places. The official wheelchair symbol shall be displayed on a sign located between three (3) feet and six (6) feet from the ground. One sign will be provided for each parking space.

(4) Any violation of § 15-610 shall be punishable by a penalty of one hundred dollars (\$100.00). (1969 Code, § 24-183, as amended by Ord. #13-97, Aug. 1997)

15-611. 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 public place marked by the city as a loading zone. (1969 Code, § 24-184)

15-612. Public endangerment or emergency conditions. Upon conditions constituting a danger to the public health, welfare or safety, or when necessary to preserve the peace and order of the city, the city manager may

install temporary traffic control devices and/or remove obstructions from the public right-of-way. (1969 Code, § 24-185)

15-613. Emergency parking signs. Whenever any traffic congestion is likely to result from the holding of public or private assemblages, gatherings or functions, or when necessary to preserve public health, welfare or safety, the city manager is authorized to erect or post temporary signs indicating that the operation, parking or stopping of vehicles is prohibited. Such signs shall remain in place only during the existence of such emergency and shall be removed promptly thereafter.

When signs authorized by the provisions of this section are in place, no person shall operate, park or stop any vehicle contrary to the directions and provisions of such signs. (1969 Code, § 24-186)

15-614. Exemption. The provisions of this chapter regulating the parking or standing of vehicles shall not apply to a vehicle of a city, county or state, or public utility while necessarily in use for construction or repair work on a street or utilities located therein. (1969 Code, § 24-187)

15-615. Registered owner presumption; owner responsibility. In a prosecution of a vehicle owner charging a violation of a restriction of parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that the defendant was then the owner in fact and that the owner was the driver of the vehicle at the time of the violation. This presumption may be rebutted by proof that the vehicle was being used by another without the owner's consent. (1969 Code, § 24-188)

15-616. Parking of junked vehicles in on-street parking spaces prohibited. (1) No person shall park any junked vehicle¹ upon any on-street parking space.

(2) This section shall not apply to any junked vehicle which becomes disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position, provided however that such disabled vehicle be removed within forty-eight (48) hours. (Ord. #11-02, June 2002)

15-617. Parking or recreational vehicles and utility trailers in marked and unmarked on-street parking spaces. (1) It is unlawful for any person to park or store any recreational vehicle or utility trailer within marked or unmarked on-street parking on any public street. It is also unlawful for the

¹Municipal code reference

Junked vehicles: title 13, chapter 3.

registered owner of a recreational vehicle or utility trailer to allow another person to park or store such vehicle or trailer within marked or unmarked on-street parking on any public street.

(2) Notwithstanding any provisions to the contrary, an operational recreational vehicle or utility trailer may be temporarily legally parked or stored within marked or unmarked on-street parking on any public street for a period not to exceed seven (7) consecutive days for the purpose of loading, unloading, trip preparation, or minor, routine maintenance and repair. However, vehicles temporarily parked in accordance with this section may not be relocated to another on-street location after the expiration of the allowed temporary parking period, and at no time shall any un-mounted camper enclosure, personal water craft carrier, or boat not mounted on a utility trailer be parked or stored within any designated on-street parking space.

(3) There are no "grandfathered" rights associated with this section.

(4) There shall be a thirty (30) day grace period from the effective date of the ordinance comprising this section to allow city staff time to educate the public on the requirements of the section. (as added by Ord. #01-2012, March 2012)

CHAPTER 7

BICYCLES

SECTION

- 15-701. Application of chapter.
- 15-702. Application of traffic regulations to riders.
- 15-703. Use of permanent seat required.
- 15-704. Carrying excess passengers prohibited.
- 15-705. Riders carrying articles.
- 15-706. To be ridden on right side of roadway.
- 15-707. Riding more than two abreast.
- 15-708. Riding on roadways prohibited when paths provided.
- 15-709. Clinging to vehicles.
- 15-710. Lights.
- 15-711. Bell or other warning device.
- 15-712. Bicycle brakes.
- 15-713. Child bicycle safety rules and regulations.

15-701. Application of chapter. The provisions of this chapter shall apply whenever a bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein. (1969 Code, § 24-190)

15-702. Application of traffic regulations to riders. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations set out in this chapter, and except as to those provisions of this chapter which, by their nature, can have no application. (1969 Code, § 24-191)

15-703. Use of permanent seat required. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. (1969 Code, § 24-192)

15-704. Carrying excess passengers prohibited. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (1969 Code, § 24-193)

15-705. Riders carrying articles. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one (1) hand upon the handlebars. (1969 Code, § 24-194)

15-706. To be ridden on right side of roadway. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (1969 Code, § 24-195)

15-707. Riding more than two abreast. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. (1969 Code, § 24-196)

15-708. Riding on roadways prohibited when paths provided. Wherever a useable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (1969 Code, § 24-197)

15-709. Clinging to vehicles. No person riding upon any bicycle shall attach the same or himself or herself to any vehicle upon a roadway. (1969 Code, § 24-198)

15-710. Lights. Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the state department of safety, which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector. (1969 Code, § 24-199)

15-711. Bell or other warning device. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle. (1969 Code, § 24-200)

15-712. Bicycle brakes.¹ Every bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within twenty-five (25) feet from a speed of ten miles per hour (10 mph) on dry, level, clean pavement. (1969 Code, § 24-201, as replaced by Ord. #21-06, Dec. 2006)

¹State law reference

Tennessee Code Annotated, § 55-8-177(b).

15-713. Child bicycle safety rules and regulations.¹ (1) With regard to any bicycle operated over any public roadway or sidewalk, it is unlawful:

(a) For any person under sixteen (16) years of age to operate or be a passenger on a bicycle unless at all times when so engaged such person wears a protective bicycle helmet of good fit fastened securely upon the head with the straps of the helmet;

(b) For any person to be a passenger on a bicycle unless, with respect to any person who weighs fewer than forty pounds (40 lbs.), or is less than forty inches (40") in height, the person can be and is properly seated in and adequately secured to a restraining seat;

(c) For any parent or legal guardian of a person below twelve (12) years of age to knowingly permit such person to operate or be a passenger on a bicycle in violation of subsection (1)(a) or (1)(b); and

(d) To rent or lease any bicycle to or for the use of any person under sixteen (16) years of age unless:

(i) The person is in possession of a protective bicycle helmet of good fit at the time of such rental or lease; or

(ii) The rental or lease includes a protective bicycle helmet of good fit, and the person intends to wear the helmet, as required by subsection (1), at all times while operating or being a passenger on the bicycle.

(2) Except as provided in subsection (3), any adult person violating any requirements set forth in this section commits a violation and shall be assessed a civil penalty of two dollars (\$2.00) and court costs.

(3) Upon commission of the first offense within a twelve-month period under subsection (1)(c), it shall be a defense that the accused has since the date of the violation purchased or provided a protective bicycle helmet or a restraining seat, and uses and intends to use or causes to be used or intends to cause to be used the same as the law requires.

(4) A law enforcement officer observing any violation of this section shall issue a warning to the violator for the first offense and a citation to the violator for the second or subsequent offense, but shall not arrest or take into custody any person solely for a violation of this section.

(5) For purposes of this section, the following terms have the following meanings:

(a) "Protective bicycle helmet" means a piece of headgear which meets or exceeds the impact standards for protective bicycle helmets set by the American National Standards Institute (ANSI) or the Snell

¹State law reference

Child Bicycle Safety Act, Tennessee Code Annotated, §§ 55-52-101 through 55-52-106.

Memorial Foundation, or which is otherwise approved by the commissioner of safety.

(b) "Restraining seat" means a seat separate from the saddle seat of the operator of the bicycle that is fastened securely to the frame of the bicycle and is adequately equipped to restrain the passenger in such seat and protect such passenger from the moving parts of the bicycle. (as added by Ord. #21-06, Dec. 2006)

CHAPTER 8

PEDESTRIANS

SECTION

- 15-801. Application of chapter.
- 15-802. Right-of-way in crosswalks.
- 15-803. When use of marked crosswalks required.
- 15-804. Use of right half of crosswalks.
- 15-805. Crossing at other than crosswalks.
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- 15-807. Walking on roadways.
- 15-808. Soliciting rides or employment.
- 15-809. Soliciting the watching or guarding of parked vehicles.
- 15-810. Duty of drivers with regard to pedestrians.
- 15-811. Special provision for pedestrians guided by dog or carrying white cane.

15-801. Application of chapter. Pedestrians shall be subject to traffic-control signals at intersections as provided in this chapter and at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter. (1969 Code, § 24-212)

15-802. Right-of-way in crosswalks. (1) (a) Unless in a posted school zone when school zone speed limits are in operation and subject to enforcement per city code §15-502, when traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(b) When in a posted school zone during the times school zone speed limits are in effect and subject to enforcement per city code §15-502, the driver of a vehicle shall stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or at an intersection with no marked crosswalk. The driver shall remain stopped until the pedestrian has crossed the roadway on which the vehicle is stopped.

(2) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

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

(4) Subsection (1) above does not apply under the conditions stated in city code § 15-806. (1969 Code, § 24-213, as replaced by Ord. #09-2014, Aug. 2014)

15-803. When use of marked crosswalks required. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk. (1969 Code, § 24-214)

15-804. Use of right half of crosswalk. Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (1969 Code, § 24-215)

15-805. Crossing at other than crosswalks. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. (1969 Code, § 24-216)

15-806. Pedestrian tunnels or overhead crossings. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway. (1969 Code, § 24-217)

15-807. Walking on roadways. (1) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided, any pedestrian walking along and upon a street shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. (1969 Code, § 24-218)

15-808. Soliciting rides or employment. No person shall stand in the public right-of-way for the purpose of soliciting a ride or employment from the occupant of any vehicle. (1969 Code, § 24-219)

15-809. Soliciting the watching or guarding of parked vehicles. No person shall stand on or in proximity to a street for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street. (1969 Code, § 24-220)

15-810. Duty of drivers with regard to pedestrians. Notwithstanding the provisions of this chapter, every driver of a vehicle shall

exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (1969 Code, § 24-221)

15-811. Special provision for pedestrians guided by dog or carrying white cane. (1) No person, unless totally or partially blind or otherwise incapacitated, while on any public street or thoroughfare, shall carry in any raised or extended position any cane or similar walking stick colored white or white tipped with red.

(2) Whenever any pedestrian guided by a guide dog or carrying in any raised or extended position a cane or similar stick white in color or white tipped with red shall undertake to cross any public street or thoroughfare, the driver of each and every vehicle approaching such pedestrian shall bring such vehicle to a complete stop and, before proceeding, shall take all precautions necessary to avoid injuring such pedestrian. Nothing in this section shall be construed as making any person totally or partially blind or otherwise incapacitated guilty of contributory negligence in undertaking to cross any street or thoroughfare without being guided by a trained dog or carrying a cane or stick of the type herein mentioned. (1969 Code, § 24-222)