

## TITLE 15

### MOTOR VEHICLES, TRAFFIC AND PARKING<sup>1</sup>

#### CHAPTER

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#### CHAPTER 1

### MISCELLANEOUS PROVISIONS<sup>2</sup>

#### SECTION

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#### <sup>1</sup>Municipal code references

Excavations and obstructions in streets, etc.: title 16.  
Highway right of entry permit: § 12-105.

#### <sup>2</sup>State law references

Under Tennessee Code Annotated, § 55-10-307, the following offenses are exclusively state offenses and must be tried in a state court or a court having state jurisdiction: driving while intoxicated or drugged, as prohibited by Tennessee Code Annotated, § 55-10-401; failing to stop after a traffic accident, as prohibited by Tennessee Code Annotated, § 55-10-101, et seq.; driving while license is suspended or revoked, as prohibited by Tennessee Code Annotated, § 55-7-116; and drag racing, as prohibited by Tennessee Code Annotated, § 55-10-501.

- 15-112. Miscellaneous traffic-control signs, etc.
- 15-113. General requirements for traffic-control signs, etc.
- 15-114. Unauthorized traffic-control signs, etc.
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- 15-121. Backing vehicles.
- 15-122. Projections from the rear of vehicles.
- 15-123. Causing unnecessary noise.
- 15-124. Vehicles and operators to be licensed.
- 15-125. Passing.
- 15-126. Bicycle riders, etc.
- 15-127. Regulation of wrecker service.
- 15-128. Compliance with disabled drivers law required.
- 15-129. Compliance with financial responsibility law required.

**15-101. Motor vehicle requirements.** It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn, and such other equipment as is prescribed and required by Tennessee Code Annotated, title 55, chapter 9. (1980 Code, § 9-101)

**15-102. Authorized emergency vehicles defined.** Authorized emergency vehicles shall be fire department vehicles, police vehicles, and such ambulances and other emergency vehicles as are designated by the chief of police. (1980 Code, § 9-102)

**15-103. Operation of authorized emergency vehicles.**<sup>1</sup> (1) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may park or stand, irrespective of the provisions of this title; proceed past a red or stop signal or stop sign, but only after slowing down to ascertain that the intersection is clear; exceed the maximum speed limit and disregard regulations governing direction

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<sup>1</sup>Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles:  
§ 15-401.

of movement or turning in specified directions so long as he does not endanger life or property.

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

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1980 Code, § 9-103)

**15-104. Following emergency vehicles.** No driver of any vehicle shall follow any authorized emergency vehicle apparently traveling in response to an emergency call closer than five hundred (500) feet or drive or park any vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1980 Code, § 9-104)

**15-105. Running over fire hoses, etc.** It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a fireman or policeman. (1980 Code, § 9-105)

**15-106. Driving on streets closed for repairs, etc.** Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (1980 Code, § 9-106)

**15-107. Reckless driving.** Irrespective of the posted speed limit, no person, including operators of emergency vehicles, shall drive any vehicle in willful or wanton disregard for the safety of persons or property. (1980 Code, § 9-107)

**15-108. Operation of motor vehicles in public non-road areas.** It shall be unlawful for any person to operate a motor vehicle off any roadway or parking area on any public area within the corporate limits of the City of Humboldt or any public property owned and maintained by the City of Humboldt outside the corporate limits; provided, however, that this section shall not apply to any employee of the city or persons under contract with the city who

are operating any motor vehicle for the maintenance or upkeep of the public area. (1980 Code, § 9-108)

**15-109. Unlaned streets.** (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

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

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

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (1980 Code, § 9-110)

**15-110. Laned streets.** On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes, either of the right hand lanes shall be available for use, except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. (1980 Code, § 9-111)

**15-111. Yellow lines.** On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (1980 Code, § 9-112)

**15-112. Miscellaneous traffic-control signs, etc.**<sup>1</sup> It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking, or device placed or erected by the state or the city unless otherwise directed by a police officer.

It shall be unlawful for any pedestrian or the operator of any vehicle willfully to violate or fail to comply with the reasonable directions of any police officer. (1980 Code, § 9-113)

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<sup>1</sup>Municipal code references

Stop signs, yield signs, flashing signals, traffic control signals generally: §§ 15-405--15-408.

**15-113. General requirements for traffic-control signs, etc.** All traffic-control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the city. This section shall not be construed as being mandatory but is merely directive. (1980 Code, § 9-114)

**15-114. Unauthorized traffic-control signs, etc.** No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control sign, signal, marking, or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic-control sign, signal, marking, or device or any railroad sign or signal. (1980 Code, § 9-115)

**15-115. Presumption with respect to traffic-control signs, etc.** When a traffic-control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper authority. All presently installed traffic-control signs, signals, markings, and devices are hereby expressly authorized, ratified, approved, and made official. (1980 Code, § 9-116)

**15-116. School safety patrols.** All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned under the authority of the chief of police and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (1980 Code, § 9-117)

**15-117. Driving through funerals or other processions.** Except when otherwise directed by a police officer, no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (1980 Code, § 9-118)

**15-118. Damaging pavements.** No person shall operate or cause to be operated upon any street of the city any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels, tires, or track is likely to damage the surface or foundation of the street. (1980 Code, § 9-119)

**15-119. Clinging to vehicles in motion.** It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any

other vehicle to cling to, or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place. (1980 Code, § 9-120)

**15-120. Riding on outside of vehicles.** It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to persons riding in the load-carrying space of trucks. (1980 Code, § 9-121)

**15-121. Backing vehicles.** The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (1980 Code, § 9-122)

**15-122. Projections from the rear of vehicles.** Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (1980 Code, § 9-123)

**15-123. Causing unnecessary noise.** It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (1980 Code, § 9-124)

**15-124. Vehicles and operators to be licensed.** It shall be unlawful for any person to operate a motor vehicle in violation of the "Tennessee Motor Vehicle Title and Registration Law" or the "Uniform Motor Vehicle Operators' and Chauffeurs' License Law." (1980 Code, § 9-125)

**15-125. Passing.** Except when overtaking and passing on the right is permitted, the driver of a vehicle passing another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle. The driver of the overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

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

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

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

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

No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he can see that the way ahead is sufficiently clear and unobstructed to enable him to make the movement in safety. (1980 Code, § 9-126)

**15-126. Bicycle riders, etc.** Every person riding or operating a bicycle, motorcycle, or motor driven cycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, or motor driven cycles.

No person operating or riding a bicycle, motorcycle, or motor driven cycle shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

No bicycle, motorcycle, or motor driven cycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No person operating a bicycle, motorcycle, or motor driven cycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebar.

No person under the age of sixteen (16) years shall operate any motorcycle or motor driven cycle while any other person is a passenger upon said motor vehicle.

All motorcycles and motor driven cycles operated on public ways within the corporate limits shall be equipped with crash bars approved by the state's commissioner of safety.

Each driver of a motorcycle or motor driven cycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

Every motorcycle or motor driven cycle operated upon any public way within the corporate limits shall be equipped with a windshield of a type approved by the state's commissioner of safety or, in the alternative, the operator and any passenger on any such motorcycle or motor driven cycle shall be required to wear safety goggles of a type approved by the state's commissioner of safety for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle or motor driven cycle in violation of this section. (1980 Code, § 9-127)

**15-127. Regulation of wrecker service.** Wrecker service within the City of Humboldt shall be regulated by the Humboldt Police Department. If no specific wrecker service is requested by the party whose vehicle is to be towed, or his agent, the police department shall call a wrecker service from a list of qualified wrecker services, to be called in rotation.

If an unsolicited wrecker service arrives at the scene, it shall be fined \$50.00 for the first offense; \$75.00 for the second offense; and \$100.00 for the third offense with a six month suspension from the call list.

The Humboldt Police Department shall establish wrecker service standards, to be approved by the board of mayor and aldermen, a copy of which shall be furnished to each wrecker service. (Ord. #86-06, Sept. 1986)

**15-128. Compliance with disabled drivers law required.** (1) Every vehicle operated within the corporate limits must be in compliance with the disabled drivers law.

(2) For the purposes of this section, "unauthorized use of disabled parking or placard" means:

(a) (i) Any person, except a person who meets the requirements for the issuance of a distinguishing placard or license plate, a disabled veteran's license plate, or who meets the requirements of § 55-21-105(d), who parks in any parking space designated with the wheelchair disabled sign, commits a misdemeanor, punishable by a fine of fifty dollars (\$50.00) plus court costs.

(ii) In addition to the fine imposed pursuant to subsection (a)(i), a vehicle which does not display a disabled license plate or placard, and which is parked in any parking space designated with the wheelchair disabled sign, is subject to being towed. When a vehicle has been towed or removed pursuant to this subdivision (a)(ii), it shall be released to its owner, or person lawful possession, upon demand; provided, that such person making demand for return pays all reasonable towing and storage charges and that such demand is made during the operating hours of the towing company.

(iii) It is also a violation of this subsection (a) for any vehicle to park a motor vehicle so that a portion of such vehicle encroaches into a disabled parking space in a manner which restricts, or reasonably could restrict, a person confined to a

wheelchair from exiting or entering a motor vehicle properly parked within such disabled parking space.

(iv) After July 1, 1992, signs designating disabled parking shall indicate that unauthorized or improperly parked vehicles may be towed and the driver fined fifty dollars (\$50.00) plus court costs, and shall also provide the name and telephone number of the towing company or the name and telephone number of the property owner, lessee or agent in control of the property.

(b) Notwithstanding any other provision of law to the contrary, the provisions of subsection (a) shall be enforced by state and local authorities in their respective jurisdictions, whether violations occur on public or private property, in the same manner used to enforce other parking laws.

(c) (i) Any person not meeting the requirements of § 55-21-203 who uses a disabled placard to obtain parking commits a misdemeanor. The disabled placard used to obtain parking by a person not meeting the requirements of § 55-21-103 shall be subject to forfeiture and confiscation by state and local authorities in their respective jurisdiction.

(ii) If a state or local law enforcement officer observes a violation of this subsection (c), such officer may confiscate the disabled placard. To recover such placard, a driver must demonstrate by a preponderance of evidence that such driver was complying with § 55-21-103, at the time of the confiscation.

(d) Any persons who unlawfully sells, copies, duplicates, manufactures, or assists in the sale, copying, duplicating or manufacturing of a disabled placard commits a Class A misdemeanor, punishable by a minimum one thousand dollar (\$1,000.00) fine and imprisonment for a time in the discretion of the court.

(e) Any person who is not a disabled driver as prescribed in § 55-21-102, and who willfully and falsely represents himself as meeting the requirements to obtain either a permanent or temporary placard commits a Class A misdemeanor, punishable only by a fine of not more than one thousand dollars (\$1,000.00). (as added by Ord. #2006-03, Aug. 2006)

**15-128. Compliance with financial responsibility law required.**

(1) Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law.

(2) At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility as required by this

section. In case of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault.

(3) For the purposes of this section, "financial responsibility" means:

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

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

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

(4) Civil offense. It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by a civil penalty of fifty dollars (\$50.00) plus court costs. The civil penalty prescribed by this section shall be in addition to any other penalty prescribed by the laws of this state or by the city's municipal code of ordinances.

(5) Evidence of compliance after violation. On or before the court date, the person charged with a violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #2006-04, Aug. 2006)

## CHAPTER 2

### SPEED LIMITS

#### SECTION

- 15-201. In general.
- 15-202. At intersections.
- 15-203. In school zones.
- 15-204. In congested areas.

**15-201. In general.** It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (1980 Code, § 9-201)

**15-202. At intersections.** It shall be unlawful for any person to drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic control signals or signs which require traffic to stop or yield on the intersecting streets. (1980 Code, § 9-202)

**15-203. In school zones.** Generally, pursuant to Tennessee Code Annotated, §§ 55-8-152 special speed limits in school zones shall be enacted based on an engineering investigation; shall not be less than fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this paragraph.

When the board of mayor and aldermen has not established special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of forty (40) minutes before the opening hour of a school or a period of forty (40) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving. (1980 Code, § 9-203)

**15-204. In congested areas.** It shall be unlawful for any person to operate or drive a motor vehicle through any congested area at a rate of speed in excess of any posted speed limit when such speed limit has been posted by authority of the city. (1980 Code, § 9-204)

## CHAPTER 3

### TURNING MOVEMENTS

#### SECTION

15-301. Generally.

15-302. Right turns.

15-303. Left turns on two-way roadways.

15-304. Left turns on other than two-way roadways.

15-305. U-turns.

**15-301. Generally.** No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his intention in accordance with the requirements of the state law.<sup>1</sup> (1980 Code, § 9-301)

**15-302. 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. (1980 Code, § 9-302)

**15-303. Left turns on two-way roadways.** At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center lines of the two roadways. (1980 Code, § 9-303)

**15-304. Left turns on other than two-way roadways.** At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (1980 Code, § 9-304)

**15-305. U-turns.** U-turns are prohibited. (1980 Code, § 9-305)

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 55-8-143.

## CHAPTER 4

### STOPPING AND YIELDING

#### SECTION

- 15-401. Upon approach of authorized emergency vehicles.
- 15-402. When emerging from alleys, etc.
- 15-403. To prevent obstructing an intersection.
- 15-404. At railroad crossings.
- 15-405. At "stop" signs.
- 15-406. At "yield" signs.
- 15-407. At traffic-control signals generally.
- 15-408. At flashing traffic-control signals.
- 15-409. Stops to be signaled.

**15-401. Upon approach of authorized emergency vehicles.**<sup>1</sup> Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. (1980 Code, § 9-401)

**15-402. When emerging from alleys, etc.** The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto any sidewalk or street. They shall not proceed to drive onto the sidewalk or street until they can safely do so without colliding or interfering with approaching pedestrians or vehicles. (1980 Code, § 9-402)

**15-403. To prevent obstructing an intersection.** No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic-control signal indication to proceed. (1980 Code, § 9-403)

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<sup>1</sup>Municipal code reference

Special privileges of emergency vehicles: title 15, chapter 1.

**15-404. At railroad crossings.** Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen (15) feet from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

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

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

(3) A railroad train is approaching within a proximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1980 Code, § 9-404)

**15-405. At "stop" signs.** The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection and shall remain standing until he can proceed through the intersection in safety. (1980 Code, § 9-405)

**15-406. At "yield" signs.** The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (1980 Code, § 9-406)

**15-407. At traffic-control signals generally.** Traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

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

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

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

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

(b) Pedestrians facing such signal shall not enter the roadway.

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

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

(b) Pedestrians facing such signal shall not enter the roadway.

(4) Steady red with green arrow:

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

(b) Pedestrians facing such signal shall not enter the roadway.

(5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1980 Code, § 9-407)

**15-408. At flashing traffic-control signals.** (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the city, it shall require obedience by vehicular traffic as follows:

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

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

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-404 of this chapter. (1980 Code, § 9-408)

**15-409. Stops to be signaled.** No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,<sup>1</sup> except in an emergency. (1980 Code, § 9-409)

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<sup>1</sup>State law reference  
Tennessee Code Annotated, § 55-8-143.

## CHAPTER 5

### PARKING

#### SECTION

- 15-501. Generally.
- 15-502. Angle parking.
- 15-503. Occupancy of more than one space.
- 15-504. Where prohibited.
- 15-505. Loading and unloading zones.
- 15-506. Regulation by time limit.
- 15-507. Unlawful parking in limited parking spaces.
- 15-508. Unlawful to occupy more than one limited parking space.
- 15-509. Presumption with respect to illegal parking.
- 15-510. Parking of trucks, trailers, etc. on streets.

**15-501. Generally.** No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

Except as hereinafter provided, every vehicle parked upon a street within the city shall be so parked that its right wheels are approximately parallel to and within eighteen (18) inches of the right edge or curb of the street.

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

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (1980 Code, § 9-501)

**15-502. Angle parking.** On those streets which have been signed or marked by the city for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet. (1980 Code, § 9-502)

**15-503. Occupancy of more than one space.** No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (1980 Code, § 9-503)

**15-504. Where prohibited.** No person shall park a vehicle in violation of any sign placed or erected by the state or city, nor:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection or within fifteen (15) feet thereof.
- (4) On or across a curb, including that area between the curb and sidewalk.
- (5) Within fifteen (15) feet of a fire hydrant.
- (6) Within a pedestrian crosswalk.
- (7) Within fifty (50) feet of a railroad crossing.
- (8) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
- (9) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
- (10) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (11) Upon any bridge.
- (12) Alongside any curb painted yellow or red by the city. (1980 Code, § 9-504)

**15-505. Loading and unloading zones.** No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the city as a loading and unloading zone. (1980 Code, § 9-505)

**15-506. Regulation by time limit.** Where signs have been erected designating limited parking areas where two (2) hour parking is allowed, between the hours of 8:00 A.M. and 6:00 P.M. on all days except Sundays and holidays declared by the board of mayor and aldermen, parking shall be limited to two (2) consecutive hours. (1980 Code, § 9-506)

**15-507. Unlawful parking in limited parking spaces.** It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked in a limited parking space for more than two (2) hours. (1980 Code, § 9-507)

**15-508. Unlawful to occupy more than one limited parking space.** It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a limited parking space or otherwise so that such vehicle is not entirely within the designated space. (1980 Code, § 9-508)

**15-509. Presumption with respect to illegal parking.** When any unoccupied vehicle is found parked in violation of any provision of this chapter, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking. (1980 Code, § 9-509)

**15-510. Parking of trucks, trailers, etc. on streets.** (1) No person shall park or leave standing on any public street or other right of way in the City of Humboldt, the following vehicles:

(a) A truck with a gross weight capacity in excess of ten thousand (10,000) pounds;

(b) A trailer or wagon of any kind or description, whether or not the trailer is attached to, or is capable of being attached to, a tractor or to any other kind of vehicle;

(c) Recreational vehicle, camper, mobile home, whether or not such vehicle is self-propelled, and no matter for what purpose it is used.

(2) For the purposes of the application and enforcement of this section, the term "trailer" shall include, but is not limited to, any vehicle that is designated to be pulled or pushed by another vehicle, including, but not limited to a highway or road trailer used or designed to be used in a tractor-trailer combination, boat trailer, lawn and lawn and garden service trailer, utility trailer, and wagon.

(3) The prohibition in this section shall not apply to any vehicle or trailer which is parked or left standing for the purpose of loading or unloading its cargo, nor to any service or delivery vehicle or trailer during the actual period of the service or delivery. (Ord. #2002-01, July 2002)

## CHAPTER 6

### VEHICLE REGISTRATION

#### SECTION

15-601. Registration.

15-602. Issuance of certificate of registration.

15-603. Fees.

15-604. Enforcement.

**15-601. Registration.** Before the owner of any automobile, truck, or any other self-propelled vehicle shall operate or allow such vehicle to be operated regularly on any street, avenue, or alley within the corporate limits, he shall register such vehicle with the city. A written application shall be filed with the mayor and shall specify the motor number, make, and model of such vehicle, the name and residence of the owner and shall contain a certificate that the vehicle is in a good and safe operating condition. The applicant shall agree that no person shall operate such vehicle unless duly authorized so to do in accordance with the laws of the State of Tennessee. Such application shall be made annually, not later than March 31st of each year. (1980 Code, § 9-601)

**15-602. Issuance of certificate of registration.** Upon the presentation of an application containing the information, statements, and agreements set out in § 15-601, the mayor shall issue to the owner a certificate of registration and a regulation tag or emblem, and the tag or emblem shall be attached to the windshield or other conspicuous part of the vehicle and shall continue to be conspicuously displayed at all times.

Automobile dealers making application for and receiving a certificate of registration and tag or emblem for one car used as a demonstrator, and paying the fee therefor, annually, may transfer said tag or emblem to other cars used only as demonstrators without making further application or paying an additional fee.

Any owner of motor transport trucks or buses having a terminal in Humboldt shall not be required to register and pay the fee for such vehicles used exclusively, or practically exclusively, for long hauls; provided, that any such owner shall be required to register any motor vehicle used to unload or distribute loads within the corporate limits and shall pay the required fee on any such vehicle. (1980 Code, § 9-602)

**15-603. Fees.** The following registration fees shall be paid annually:

- |     |   |         |
|-----|---|---------|
| (1) | Automobiles, trucks, and other similar type vehicles: | \$30.00 |
|-----|---|---------|

- |     |   |          |
|-----|---|----------|
| (2) | Motorcycles, motorscooters, and other similar type vehicles | \$ 25.00 |
|-----|---|----------|

Initial annual registration fees for new residents of the City of Humboldt or for initial applicants who become subject to vehicle registration during the calendar year shall be determined on a prorated basis of three dollars (\$3.00) per month at the time of registration for vehicles in category 1 above and two dollars (\$2.00) per month at the time of registration for vehicles in category 2 above. Prorated fees will include the monthly amount for the month in which registration occurs and the monthly amount for the remaining months in the calendar year. (For example, if registration of an automobile, a category 1 vehicle, occurs in February, the fee would be thirty-three dollars (\$33.00); if in October, the fee would be nine dollars (\$9.00).

Proration applies to initial registrants only; persons subject to registration on or before January 1 of any succeeding year must pay the full annual registration fee regardless of when they pay the registration fee. (Ord. #93-12, Dec. 1993, as amended by Ord. #96-7, Sept. 1996)

**15-604. Enforcement.** This chapter shall apply to any person, firm, partnership, or corporation residing within the corporate limits or who has a principal place of business within the corporate limits.

The mayor shall have the right to deny a certificate of registration to any owner who fails to comply with the application requirements of this chapter or to any owner of a vehicle which is patently unsafe for operation. (1980 Code, § 9-604)

## CHAPTER 7

### STORAGE AND REPAIR OF DISABLED VEHICLES<sup>1</sup>

#### SECTION

15-701. Definition.

15-702. Storage, etc., prohibited.

15-703. Violation of zoning ordinance prohibited.

15-704. Exceptions.

15-705. Enforcement.

**15-701. Definition.** A disabled motor vehicle shall mean any vehicle which is incapable of being self-propelled upon the public streets, or which does not meet the requirements for operation upon the public streets, including a current license. (1980 Code, § 9-701)

**15-702. Storage, etc., prohibited.** No person shall permit any disabled motor vehicle to be parked, stored, placed, or allowed to remain within the city in violation of the provisions of this chapter or code. Disabled motor vehicles shall not be permitted in the rights of way of the streets, alleys, or highways within the city; provided, however, that this shall not apply to towing or similar transporting of such vehicles; and provided further, that a reasonable time (not to exceed twenty-four (24) hours from the time of disability) shall be permitted for the removal or servicing of a disabled vehicle in an emergency caused by accident or sudden breakdown of the vehicle. (1980 Code, § 9-702)

**15-703. Violation of zoning ordinance prohibited.** Disabled motor vehicles shall not be permitted in a front yard as defined by the zoning ordinance of the city; provided, however, that a reasonable time (not to exceed twenty-four (24) hours from the time of disability) shall be permitted for the removal or servicing of a disabled vehicle in any emergency caused by accident or sudden breakdown of the vehicle. (1980 Code, § 9-703)

**15-704. Exceptions.** One disabled motor vehicle may be permitted in a side or rear yard of a residential, commercial, or industrial lot as an accessory use to the main use of the lot; provided, that such vehicle is not located in any open space required by the zoning laws. Service and repair work may be performed on such vehicle, and incidental thereto, parts, tools, and equipment may be stored and used. Nothing contained herein shall be construed as

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<sup>1</sup>Municipal code references

Junked vehicles on public and private property: title 13, chapter 3.

Junkyards: title 13, chapter 2.

authorizing the disassembling, teardown, or scrapping of a motor vehicle, or to permit one motor vehicle to be scavenged or stripped for parts for use on another motor vehicle. Provided, however, that a disabled vehicle shall not be permitted to remain outside a building for a period in excess of thirty (30) days on any lot used for residential purposes or on that portion of any lot within twenty (20) feet of an abutting lot used for residential purposes. (1980 Code, § 9-704)

**15-705. Enforcement.** Any policeman of the City of Humboldt will report to the mayor any violation of the provisions of this chapter, and the mayor, after inspection, will notify the property owner or person responsible for the property to remedy the condition within ten days. Should the condition not be remedied within the time specified in such notice, the mayor shall cause the condition to be remedied at the expense of the City of Humboldt and the cost thereof shall become a lien upon both the real property and the disabled motor vehicle, the lien to be satisfied as any other delinquent tax lien. Provided further, as an alternative for enforcing this chapter, that if the conditions should not be remedied within the time specified in such notice, the mayor shall have the power to have the disabled motor vehicle and accessories thereto taken away by the city, and after advertising the same for sale by one notice in the local newspaper, shall proceed to sell the same at either public or private sale, and the city shall retain the proceeds from such sale. (1980 Code, § 9-705)

## CHAPTER 8

### ENFORCEMENT

#### SECTION

- 15-801. Issuance of traffic citations.
- 15-802. Failure to obey citation.
- 15-803. Illegal parking.
- 15-804. Impoundment of vehicles.
- 15-805. Disposal of "abandoned motor vehicles."

**15-801. Issuance of traffic citations.**<sup>1</sup> When a police officer halts a traffic violator other than for the purpose of giving a warning or when based on personal investigation, such officer has reasonable and probable grounds to believe that a person has violated any traffic ordinance, and does not take such person into custody under arrest, he shall take the name, address and operators drivers license number of said persons the license number of the motor vehicle involved, and such other pertinent information as may be necessary and shall issue to that person a written traffic citation containing a notice to appear to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name and address. (1980 Code, § 9-801)

**15-802. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1980 Code, § 9-802)

**15-803. Illegal parking.** Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within ten (10) days during the hours and at a place specified in the citation. For parking violations the offender may waive his right to a judicial hearing and have the charges disposed of out of court, but the fines shall be five dollars (\$5.00) within thirty (30) days, and the offender will be

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<sup>1</sup>State law reference

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

subject to the general penalty clause of this code thereafter. (1980 Code, § 9-803)

**15-804. Impoundment of vehicles.** Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic. Any impounded vehicle shall be stored until the owner or other person entitled thereto claims it, gives satisfactory evidence of ownership or right to possession, and pays all applicable fees and costs, or until it is otherwise lawfully disposed of. The fee for impounding a vehicle shall be five dollars (\$5.00) and the storage cost shall be one dollar (\$1.00) for each twenty-four (24) hour period or fraction thereof that the vehicle is stored. (1980 Code, § 9-804)

**15-805. Disposal of "abandoned motor vehicles."** "Abandoned motor vehicles" as defined by Tennessee Code Annotated, § 55-16-103, shall be impounded and disposed of by the police department in accordance with Tennessee Code Annotated, §§ 55-16-103 through 55-16-109. (1980 Code, § 9-805)