



National Committee on Uniform Traffic Control Devices

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Item No. 21B-ROR-01

NCUTCD Proposal for Rules of the Road

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6 **TECHNICAL COMMITTEE:** Rules of Road Joint Task Force
7 **ITEM NUMBER:** 21B-ROR-01
8 **TOPIC:** 2000 UVC Definitions and Chapter 11 (Rules of the
9 Road)
10 **ORIGIN OF REQUEST:** Rules of Road Joint Task Force
11 **AFFECTED SECTIONS OF MUTCD:** NA – applies to the Rules of the Road document
12 **DEVELOPMENT HISTORY:**
13 • Approved by Rules of the Road Joint Task Force 10-12-2021
14 • Approved by NCUTCD Council: MM/DD/YYYY

15
16 *This is a proposal for the conversion of the definitions and Chapter 11, Rules of the Road, from*
17 *the 2000 Uniform Vehicle Code (UVC) to a document that will be updated and maintained by the*
18 *NCUTCD. Other than formatting changes, no changes to the published 2000 UVC definitions*
19 *and Chapter 11 are proposed in this recommendation. This has been developed by a joint task*
20 *force of the NCUTCD. The NCUTCD is distributing it to its sponsoring organizations for review*
21 *and comment. Sponsor comments will be considered in revising the proposal prior to NCUTCD*
22 *Council consideration. This proposal does not represent a revision of the NCUTCD Rules of the*
23 *Road unless and until approved by the NCUTCD Council.*
24

SUMMARY:

25
26 The Rules of the Road are to be posted on the NCUTCD webpage for the information of users
27 thereof. The Rules of the Road were previously published by the National Committee of
28 Uniform Laws and Ordinances (NCUTLO). They suspended operations in July 2008 with the
29 last published Uniform Vehicle Code (UVC) dated 2000. The NCUTCD determined that they
30 would maintain the Rules of the Road, Chapter 11, UVC to update it with changes to the
31 MUTCD providing a Rules of the Road publication that is consistent with the MUTCD for the
32 information and use of those jurisdictions that want update their vehicle laws that are compatible
33 with the MUTCD.
34

DISCUSSION:

35
36 The UVC Rules of the Road (ROR) chapter needs to be updated to reflect revisions to the
37 MUTCD. Updating the ROR and related definitions will be addressed in separate
38 recommendations. This recommendation is just to document the status of the definitions and
39 Chapter 11 as they existed in the published 2000 UVC. Therefore, it is anticipated that sponsor
40 comments will be limited to any needed technical or editorial corrections to this conversion to a

41 NCUTCD document rather than to the actual text of the definitions or Rules of the Road chapter.
42 This proposal is to establish a base document that includes just the definitions and Chapter 11
43 from the 2000 UVC.
44

45 **RECOMMENDED RULES OF THE ROAD CHANGES:**

46 There are no changes to the definitions and Chapter 11 of the 2000 UVC proposed in this
47 recommendation.
48

49

50 **CHAPTER 1**

51

52 **WORDS AND PHRASES DEFINED**

53

54 **§ 1-101 Definition of words and phrases**

55 The following words and phrases when used in this code shall, for the purpose of this code,
56 have the meanings respectively ascribed to them in this chapter, except when the context
57 otherwise requires and except where another definition set forth in another chapter of this code
58 and applicable to that chapter or a designated part thereof is applicable.
59

60 **§ 1-102 Alcohol** - any substance or substances containing any form of alcohol.
61

62 **§ 1-103 Alcoholic beverage:**

63 (a) Beer, ale, porter, stout and other similar fermented beverages, including sake and similar
64 products, of any name or description containing one-half of one percent or more alcohol
65 by volume, brewed or produced from malt wholly or in part, or from any substitute
66 thereof.

67 (b) Any beverage obtained by the fermentation of the natural content of fruits or other
68 agricultural products containing sugar, of not less than one-half of one percent of alcohol
69 by volume.

70 (c) Any distilled spirits commonly referred to as ethyl alcohol, ethanol or spirits of wine in
71 any form, including all dilutions and mixtures thereof from whatever process produced.
72

73 **§ 1-104 Alcohol concentration** - either grams of alcohol per 100 milliliters of blood or
74 grams of alcohol per 210 liters of breath.
75

76 **§ 1-105 Alley** - A street or highway intended to provide access to the rear or side of lots or
77 buildings in urban districts and not intended for the purpose of through vehicular traffic.
78

79 **§ 1-106 Any measurable and detectable amount of alcohol** – any alcohol concentration in
80 a person's blood or breath that is 0.02 or more.
81

82 **§ 1-107 Arterial street** - Any U.S. or State numbered route, controlled access highway, or
83 other major radial or circumferential street or highway designated by local authorities within
84 their respective jurisdictions as part of a major arterial system of streets or highways.
85
86

87 § 1-108 **Authorized emergency vehicle** - Such fire department vehicles, police vehicles
88 and ambulances as are publicly owned, and such other publicly or privately owned vehicles as
89 are designated by the commissioner of motor vehicles (or other appropriate state official) under
90 §15-111 of this code.

91
92 § 1-109 **Bicycle** - Every vehicle propelled solely by human power upon which any person
93 may ride, having two tandem wheels and except scooters and similar devices.

94
95 § 1-110 **Bus** - Every motor vehicle with a manufacturer's rated seating capacity of 11 or
96 more passengers, including the driver.

97
98 § 1-111 **Business district** - The territory contiguous to and including a highway when
99 within any 600 feet along such highway there are buildings in use for business or industrial
100 purposes, including but not limited to hotels, banks, or office buildings, railroad stations and
101 public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively
102 on both sides of the highway.

103
104 § 1-112 **Cancellation of driver's license** - The annulment or termination by formal action
105 of the department of a person's driver's license because of some error or defect in the license or
106 because the licensee is no longer entitled to such license, but the cancellation of a license is
107 without prejudice and application for a new license may be made at any time after such
108 cancellation.

109
110 § 1-113 **Child Passenger Restraint System** - a specially designed seating system which
111 meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213 as it may be
112 amended from time to time and which is either permanently affixed to a motor vehicle or is
113 affixed to such vehicle by a safety belt or a universal attachment system.

114
115 § 1-114 **Commissioner**¹ - The commissioner of motor vehicles of this State.

116
117 § 1-115 **Component part** - Each part contained in or upon a vehicle, including the engine
118 or motor; the transmission or transaxle; the chassis, frame, or load-bearing major structural
119 equivalent thereof; any door, hood, deck lid, hatch, or tailgate; any bumper; any fender or quarter
120 panel; a cowl or firewall; a cargo compartment or passenger compartment floor or floor panel;
121 and any motorcycle frame, front fork, or crankcase.

122
123 § 1-116 **Controlled-access highway** - Every highway, street or roadway in respect to which
124 owners or occupants of abutting land and other persons have no legal right of access to or from
125 the same except at such points only and in such manner as may be determined by the public
126 authority having jurisdiction over such highway, street or roadway.

127
128

¹ If the term "commissioner" is not appropriate in a particular state, then the appropriate term and definition should be substituted.

129 § 1-117 **Conviction** - means that a court of original jurisdiction has made an adjudication of
130 guilt. The term includes an unvacated forfeiture of bail or collateral deposited to secure a
131 defendant's appearance in court, a plea of nolo contendere accepted by the court, the payment of
132 a fine, and a plea of guilty or a finding of guilt, regardless of whether the penalty is rebated,
133 suspended or probated.

134
135 § 1-118 **Crosswalk** –

136 (a) That part of a roadway at an intersection included within the connections of the lateral
137 lines of the sidewalks on opposite sides of the highway measured from the curbs or, in
138 the absence of curbs, from the edges of the traversable roadway; and in the absence of a
139 sidewalk on one side of the roadway, that part of a roadway included within the
140 extension of the lateral lines of the existing sidewalk at right angles to the centerline.

141 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for
142 pedestrian crossing by lines or other markings on the surface.
143

144 § 1-119 **Dealer** - Every person in the business of buying, selling or exchanging vehicles.
145

146 § 1-120 **Department**² - The department of motor vehicles of this State.
147

148 § 1-121 **Disclose** -to engage in any practice or conduct to make available and make known
149 personal information contained in records of the department about a person to any other person,
150 organization, or entity, by any means of communication
151

152 § 1-122 **Divided highway** - A highway divided into two or more roadways by leaving an
153 intervening space or by a physical barrier or by clearly indicated dividing section so constructed
154 as to impede vehicular traffic
155

156 § 1-123 **Drive** - To operate or be in physical control of a vehicle.
157

158 § 1-124 **Driveway towaway operation** -Any operation in which any motor vehicle, trailer
159 or semitrailer, singly or in combination, new or used, constitutes the commodity being
160 transported, when one set or more of wheels of any such vehicle are on the roadway during the
161 course of transportation, whether or not any such vehicle furnishes the motive power.
162

163 § 1-125 **Driven** - To have operated or been in physical control of a vehicle.
164

165 § 1-126 **Driver** - Every person who drives or is in actual physical control of a vehicle.
166

167 § 1-127 **Driver's license** - Any license to operate a motor vehicle issued under the laws of
168 this State.
169

170 § 1-128 **Driving** - Operating or being in physical control of a vehicle.
171

² If the administration of this code is not vested in the department of motor vehicles within a particular state, the above definition should be revised to designate the appropriate department or bureau of the state government to administer this code.

172 § 1-129 **Drug** - A controlled substance as defined by State or federal law or any other drug
173 or psychoactive substance capable of impairing a person's physical or mental faculties or any
174 combination of these substances.

175
176 § 1-130 **Essential Parts** - All integral and body parts of a vehicle of a type required to be
177 registered hereunder, the removal, alteration or substitution of which would tend to conceal the
178 identity of the vehicle or substantially alter its appearance, model, type or mode of operation.

179
180 § 1-131 **Established place of business** - The place actually occupied either continuously or
181 at regular periods by a dealer or manufacturer where such person's books and records are kept
182 and a large share of the person's business is transacted.

183
184 § 1-132 **Explosives** - Any chemical compound or mechanical mixture that is commonly
185 used or intended for the purpose of producing an explosion and which contains any oxidizing
186 and combustive units or other ingredients in such proportions, quantities or packing that an
187 ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the
188 compound or mixture may cause such a sudden generation of highly heated gases that the
189 resultant gaseous pressures are capable of producing destructive effects on contiguous objects or
190 of destroying life or limb.

191
192 § 1-133 **Farm tractor** - Every motor vehicle designed and used primarily as a farm
193 implement, for drawing plows, mowing machines and other implements of husbandry.

194
195 § 1-134 **Flammable liquid** - Any liquid which has a flash point of 70° F. or less, as
196 determined by a tagliabue or equivalent closed-cup test device.

197
198 § 1-135 **Foreign vehicle** - Every vehicle of a type required to be registered hereunder
199 brought into this State from another state, territory or country other than in the ordinary course of
200 business by or through a manufacturer or dealer and not registered in this State.

201
202 § 1-136 **Gross weight** - The weight of a vehicle without load plus the weight of any load
203 thereon.

204
205 § 1-137 **Hazardous material** - Has the same meaning as that found in 49 U.S.C. §5102
206 (definitions).

207
208 § 1-138 **Highway**³ - The entire width between the boundary lines of every way publicly
209 maintained when any part thereof is open to the use of the public for purpose of vehicular travel.

210
211 § 1-139 **House trailer**
212 (a) A trailer or semitrailer which is designed, constructed and equipped as a dwelling place,
213 living abode or sleeping (either permanently or temporarily) and is equipped for use as a
214 conveyance on streets and highways, or
215 (b) A trailer or a semitrailer whose chassis and exterior shell is designed and constructed for
216 use as a house trailer, as defined in paragraph (a), but which is used instead permanently

³ By the above definition the terms "street" and "highway" are synonymous and interchangeable.

217 or temporarily for the advertising, sales, display or promotion of merchandise or
218 services, or for any other commercial purpose except the transportation of property for
219 hire or the transportation of property for distribution by a private carrier.

220
221 **§ 1-140 Human-powered vehicle** - Every vehicle designed to be moved solely by human
222 power.

223
224 **§ 1-141 Identifying number** - The vehicle identification number assigned by the
225 manufacturer or by the department for the purpose of identifying the vehicle. The term shall
226 include any numbers or letters assigned by the manufacturer for the purpose of identifying a part
227 of a vehicle and any such number placed on a part in accordance with this code or regulations of
228 the department for the purpose of identifying it.

229
230 **§ 1-142 Implement of husbandry** - Every vehicle designed or adapted and used
231 exclusively for agricultural operations and only incidentally operated or moved upon the
232 highway.

233
234 **§ 1-143 Imprisonment** - corrections facility, house arrest with electronic monitoring,
235 inpatient rehabilitation or treatment center, or other facility, provided the individual under
236 confinement is in fact being detained.

237
238 **§ 1-144 Incarceration** - Confinement in a jail, minimum-security facility, community
239 correction facility, house arrest with electronic monitoring, inpatient rehabilitation or treatment
240 center, or other facility provided the individual under confinement is in fact being detained.

241
242 **§ 1-145 Individual record** - A record containing personal information about a designated
243 person who is the subject of the record, as identified in a request for information.

244
245 **§ 1-146 Intersection** –

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

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

255 (c) The junction of an alley with a street or highway shall not constitute an intersection.

256
257 **§ 1-147 Laned roadway** - A roadway which is divided into two or more clearly marked
258 lanes for vehicular traffic.

259
260 **§ 1-148 License or License to operate a motor vehicle** - Any driver's license or any
261 license or permit to operate a motor vehicle issued under, or granted by, the laws of this State
262 including:

- 263 (a) Any temporary license or instruction permit;
264 (b) The privilege of any person to drive a motor vehicle whether or not such person holds a
265 valid license;
266 (c) Any nonresident's operating privilege as defined herein.

267
268 **§ 1-149 Lienholder** - A person holding a security interest in a vehicle.

269
270 **§ 1-150 Local authorities** - Every county, municipal and other local board or body having
271 authority to enact laws relating to the traffic under the constitution and laws of this State.

272
273 **§ 1-151 Mail** - To deposit in the United States mail properly addressed and with postage
274 prepaid.

275
276 **§ 1-152 Manufacturer** - Every person engaged in the business of constructing or
277 assembling vehicles of a type required to be registered hereunder at an established place of
278 business in this State.

279
280 **§ 1-153 Metal tire** - Every tire the surface of which in contact with the highway is wholly
281 or partly metal or other hard, non-resilient material.

282
283 **§ 1-154 Moped** - A motor-driven cycle with a motor which produces not to exceed two-
284 brake horsepower and which is not capable of propelling the vehicle at a speed in excess of 30
285 mph on level ground. If an, internal combustion engine is used, the displacement shall not exceed
286 50 cubic centimeters, and the moped shall have a power drive system that functions directly or
287 automatically without clutching or shifting by the operator after the drive system is engaged.

288
289 **§ 1-155 Motor home** - A motor vehicle designed to provide temporary living quarters built
290 into as an integral part of, or permanently attached to, a self-propelled motor vehicle chassis or
291 van. The vehicle must contain permanently installed independent life support systems which
292 meet the ANSI/NFPA 501C Standard and provide at least four of the following facilities:
293 cooking, refrigeration or ice box, self-contained toilet heating and/or air conditioning, a potable
294 water supply system including a faucet and sink, separate 110-125 volt electrical power supply
295 and/or an LP-gas supply. The basic types are specified as follows:

296 Type A: A raw chassis upon which is built a driver's compartment and an entire body
297 which provides temporary living quarters as defined above; and

298 Type B: A completed van-type vehicle which has been altered to provide temporary living
299 quarters as defined above; and

300 Type C: An incomplete vehicle upon which is permanently attached a body designed to
301 provide temporary living quarters as defined above.

302
303 **§ 1-156 Motor vehicle** - Every vehicle which is self-propelled, and every vehicle which is
304 propelled by electric power obtained from overhead trolley wires but not operated upon rails,
305 except vehicles moved solely by human power and motorized wheelchairs.

306
307

308 § 1-157 **Motorcycle** - Every motor vehicle having a seat or saddle for the use of the rider
309 and designed to travel on not more than three wheels in contact with the ground but excluding a
310 tractor.
311

312 § 1-158 **Motor-driven cycle** - Every motorcycle, motor scooter or motorized bicycle having
313 an engine with less than 150 cubic centimeters displacement or with five brake horsepower or
314 less.
315

316 § 1-159 **Motorized wheelchair** - Any self-propelled vehicle designed for, and used by, a
317 person with disabilities that is incapable of a speed in excess of eight miles per hour.
318

319 § 1-160 **Nonresident** - Every person who is not a resident of this State.
320

321 § 1-161 **Nonresident's operating privilege** - The privilege conferred upon a nonresident by
322 the laws of this State pertaining to the operation by such person of a motor vehicle, or the use of
323 a vehicle owned by such person, in this State.
324

325 § 1-162 **Odometer** - An instrument for measuring and recording the actual distance a motor
326 vehicle travels while in operation, other than any auxiliary odometer designed to be reset by the
327 operator of the motor vehicle for the purpose of recording mileage on trips.
328

329 § 1-163 **Official traffic-control device** - All signs, signals, markings and devices not
330 inconsistent with this code placed or erected by authority of a public body or official having
331 jurisdiction, for the purpose of regulating, warning or guiding traffic.
332

333 § 1-164 **Open alcoholic beverage container** - Any bottle, can or other receptacle that
334 contains any amount of alcoholic beverage, and that is open, has a broken seal, or the contents of
335 which are partially removed.
336

337 § 1-165 **Park or parking** - The standing of a vehicle, whether occupied or not, otherwise
338 than temporarily for the purpose of and while actually engaged in loading or unloading property
339 or passengers.
340

341 § 1-166 **Passenger area** - The area designed to seat the driver and passengers while the
342 motor vehicle is in operation and any area that is readily accessible to the driver or passengers
343 while in their seating positions, including but not limited to the glove compartment.
344

345 § 1-167 **Passenger car** - Every motor vehicle, except motorcycles and motor- driven cycles,
346 designed for carrying 10 passengers or less and used for the transportation of persons.
347

348 § 1-168 **Pedestrian** - Any person afoot.
349

350 § 1-169 **Person** - Every natural person, firm, co-partnership, association or corporation.
351

352 § 1-170 **Person with disabilities** - Persons who, as determined by a licensed physician:
353 (a) cannot walk two hundred feet without stopping to rest;

- 354 (b) cannot walk without the use of, or assistance from, a brace, cane, crutch, another person,
355 prosthetic device, wheelchair, or other assistance device
- 356 (c) restricted by lung disease to such an extent that the person's forced (respiratory)
357 expiratory volume for one second, when measured by spirometry, is less than one liter,
358 or the arterial oxygen tension is less than sixty mm of Hg on room air at rest;
- 359 (d) use portable oxygen;
- 360 (e) have a cardiac condition to the extent that the person's functional limitations are
361 classified in severity as Class III or Class IV according to standards set by the American
362 Heart Association; or
- 363 (f) are severely limited in their ability to walk due to an arthritic, neurological, or
364 orthopedic condition.

365
366 **§ 1-171 Personal identification card** – A document issued by the department for the sole
367 purpose of identifying the bearer and not authorized for use as a driver's license.

368
369 **§ 1-172 Personal information** - Information that identifies a person, including an
370 individual's photograph or computerized image, social security number, driver identification
371 number, name, address, (but not the 5-digit zip code), telephone number, and medical or
372 disability information, but does not include information on vehicular accidents, driving or
373 equipment-related violations, and driver's license or registration status.

374
375 **§ 1-173 Pneumatic tire** - Every tire in which compressed air is designed to support the
376 load.

377
378 **§ 1-174 Pole trailer** - Every vehicle without motive power designed to be drawn by another
379 vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or
380 otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly
381 shaped loads such as poles, pipes or structural members capable, generally, of sustaining
382 themselves as beams between the supporting connections.

383
384 **§ 1-175 Police officer** - Every officer authorized to direct or regulate traffic or to make
385 arrests or issue citations for violations of traffic laws or ordinances.

386
387 **§ 1-176 Preliminary alcohol screening test** - An instrument designed and used to measure
388 the presence of alcohol in a person based on a breath sample.

389
390 **§ 1-177 Private road or driveway** - Every way or place in private ownership and used for
391 vehicular travel by the owner and those having express or implied permission from the owner,
392 but not by other persons.

393
394 **§ 1-178 Railroad** - A carrier of persons or property upon cars (other than streetcars),
395 operating upon stationary rails.

396
397 **§ 1-179 Railroad sign or signal** - Any sign, signal or device erected by authority of a
398 public body or official or by a railroad and intended to give notice of the presence of railroad
399 tracks or the approach of a railroad train.

400

401 § 1-180 **Railroad train** - A steam engine, electric or other motor, with or without cars
402 coupled thereto, operated upon rails (except streetcars).
403

404 § 1-181 **Reconstructed vehicle** - Every vehicle of a type required to be registered hereunder
405 materially altered from its original construction by the removal, addition or substitution of
406 essential parts, new or used.
407

408 § 1-182 **Registration** - The registration certificate or certificates and registration plates
409 issued under the laws of this State pertaining to the registration of vehicles.
410

411 § 1-183 **Residence district** - The territory contiguous to and including a highway not
412 comprising a business district when the property on such highway for a distance of 300 feet or
413 more is in the main improved with residences, or residences and buildings in use for business.
414

415 § 1-184 **Revocation of driver's license** - The termination by formal action of the
416 department of a person's license or privilege to operate a motor vehicle on the highways, which
417 terminated license or privilege shall not be subject to renewal or restoration except that an
418 application for a new license may be presented and acted upon by the department after the
419 expiration of the applicable period of time prescribed in this code.
420

421 § 1-185 **Right of way** - The right of one vehicle or pedestrian to proceed in a lawful manner
422 in preference to another vehicle or pedestrian approaching under such circumstances of direction,
423 speed and proximity as to give rise to danger of collision unless one grants precedence to the
424 other.
425

426 § 1-186 **Roadway** - that portion of a highway improved, designed or ordinarily used for
427 vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or
428 shoulder is used by persons riding bicycles or other human powered vehicles. In the event a
429 highway includes two or more separate roadways the term "roadway" as used herein shall refer
430 to any such roadway separately but not to all such roadways collectively.
431

432 § 1-187 **Safety Belt** - Any strap, webbing, or similar device designed to secure a person in a
433 motor vehicle including all necessary buckles and other fasteners, and all a roadway for the
434 exclusive use of pedestrians and which is protected or is so marked or indicated by official traffic
435 control devices as to be plainly visible at all times while set apart as a safety zone.
436

437 § 1-188 **Safety zone** - The area or space officially set apart within a roadway for the
438 exclusive use of pedestrians and which is protected or is so marked or indicated by official traffic
439 control devices as to be plainly visible at all times as set apart as a safety zone.
440

441 § 1-189 **School bus** - Every bus that is used to transport children to or from school or in
442 connection with school activities, but not including buses operated by common carriers in urban
443 transportation who incidentally accept school children as passengers.
444

445 §1-190 **Security agreement** - A written agreement which reserves or creates a security
446 interest.

447
448 §1-191 **Security interest** - An interest in a vehicle reserved or created by agreement and
449 which secures payment or performance of an obligation. The term includes the interest of a
450 lessor under a lease intended as security. A security interest is "perfected" when it is valid
451 against third parties generally, subject only to specific statutory exceptions.
452
453 § 1-192 **Semitrailer** - Every vehicle with or without motive power, other than a pole trailer,
454 designed for carrying persons or property and for being drawn by a motor vehicle and so
455 constructed that some part of its weight and that of its load rests upon or is carried by another
456 vehicle.
457
458 § 1-193 **Sidewalk** - That portion of a street between the curb lines, or the lateral lines of a
459 roadway, and the adjacent property lines, intended for use by pedestrians.
460
461 § 1-194 **Solid rubber tire** - Every tire of rubber or other resilient material which does not
462 depend upon compressed air for the support of the load.
463
464 § 1-195 **Special mobile equipment** - Every vehicle not designed or used primarily for the
465 transportation of persons or property and only incidentally operated or moved over a highway,
466 including but not limited to: ditch-digging apparatus, well-boring apparatus and road
467 construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket
468 loaders, tractors other than truck tractors, ditchers, levelling graders, finishing machines, motor
469 graders, road rollers, scarifiers, earth moving carry-ails and scrapers, power shovels and drag
470 lines, and self-propelled cranes and earth moving equipment. The term does not include house
471 trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed
472 for the transportation of persons or property to which machinery has been attached.
473
474 § 1-196 **Specially constructed vehicles** - Every vehicle of a type required to be registered
475 hereunder not originally constructed under a distinctive name, make, model, or type by a
476 generally recognized manufacturer of vehicles and not materially altered from its original
477 construction.
478
479 § 1-197 **Stand or standing** - The halting of a vehicle, whether occupied or not, otherwise
480 than temporarily for the purpose of and while actually engaged in receiving or discharging
481 passengers.
482
483 § 1-198 **State** - A state, territory or possession of the United States, the District of
484 Columbia, the Commonwealth of Puerto Rico or a province of Canada.
485
486 § 1-199 **Stop** - When required means complete cessation from movement.
487
488 § 1-200 **Stop or stopping** - When prohibited means any halting even momentarily of a
489 vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in
490 compliance with the directions of a police officer or official traffic-control device.
491

492 § 1-201 **Street**⁴ - The entire width between boundary lines of every way publicly
493 maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
494

495 § 1-202 **Streetcar**⁵ - A car other than a railroad train for transporting persons or property
496 and operated upon rails principally within a municipality.
497

498 § 1-203 **Suspension of driver's license** - The temporary withdrawal by formal action of the
499 department of a person's license or privilege to operate a motor vehicle on the public highways,
500 which temporary withdrawal shall be for a period specifically designated by the department.
501

502 § 1-204 **Tank vehicle** - Any motor vehicle that is designed to transport any liquid or
503 gaseous material within a tank that is either permanently or temporarily attached to a vehicle or
504 the chassis. However, this definition does not include tanks having a rated capacity of less than
505 1,000 gallons.
506

507 § 1-205 **Through highway** - Every highway or portion thereof on which vehicular traffic is
508 given preferential right of way, and at the entrances to which vehicular traffic from intersecting
509 highways is required by law to yield the right of way to vehicles on such through highway in
510 obedience to a stop sign, yield sign, or other official traffic-control device, when such signs or
511 devices are erected as provided in this code.
512

513 § 1-206 **Trackless trolley coach** - Every motor vehicle which is propelled by electric power
514 obtained from overhead trolley wires but not operated upon rails.
515

516 § 1-207 **Traffic** - Pedestrians, ridden or herded animals, vehicles, streetcars and other
517 conveyances either singly or together while using such highway for purpose of travel.
518

519 § 1-208 **Traffic control signal** - Any device, whether manually, electrically or
520 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.
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522 § 1-209 **Trailer** - Every vehicle with or without motive power, other than a pole trailer,
523 designed for carrying persons or property and for being drawn by a motor vehicle and so
524 constructed that no part of its weight rests upon the towing vehicle.
525

526 § 1-210 **Transporter** - Every person engaged in the business of delivering vehicles of a
527 type required to be registered hereunder from a manufacturing, assembling or distributing plant
528 to dealers or sales agents of a manufacturer.
529

530 § 1-211 **Truck** - Every motor vehicle designed, used or maintained primarily for the
531 transportation of property.
532

533 § 1-212 **Truck camper** - Any structure designed, used or maintained primarily to be loaded
534 on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or
535 commercial space.

⁴ By the above definition the terms "street" and "highway" are synonymous and interchangeable.

⁵ This definition should be omitted by states in which streetcars are not in operation.

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§ 1-213 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 so drawn.

§ 1-214 Urban district - The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.

§ 1-215 Vehicle - Every device upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

§ 1-216 Vehicle identification number - The vehicle identification number or any other numbers, letters, symbols, data, or combination thereof placed on a vehicle or vehicle part for purposes of identification by the manufacturer or at the direction of the department in accordance with the provisions of this code or at the direction of proper authorities in accordance with the laws of the United States, another state or country. The term includes any identification number placed on or assigned to a component part, replacement part, engine, transmission, and any vehicle identification number derivative.

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CHAPTER 11

RULES OF THE ROAD

ARTICLE I - OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

§ 11-101 Provisions of chapter refer to vehicles upon the highways - exceptions

The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

1. Where a different place is specifically referred to in a given section.
2. The provisions of article IX (and chapter 10)⁷¹ shall apply upon highways and elsewhere throughout the State.

§ 11-102 Required obedience to traffic laws

- (a) It is unlawful, and unless otherwise declared in this chapter with respect to particular offenses, it is a (misdemeanor) (violation) for any person to do any act forbidden or fail to perform any act required in this chapter.
- (b) OPTIONAL Any person who violates section 11-809, 11-901, 11- 902, 11-907, or 11-908 shall be guilty of a misdemeanor.⁷²
- (c) OPTIONAL Any person who violates any other section in this chapter shall be guilty of an infraction.⁷²

§ 11-103 Obedience to authorized persons directing traffic

- (a) No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, firefighter, flagger at highway construction or maintenance site, or uniformed adult school crossing guard invested by law with authority to direct, control or regulate traffic.
- (b) A police officer at the scene of an accident shall have the authority to control crowds of persons, restore order, open lanes of traffic by causing vehicles to be moved, direct traffic, investigate the cause of the accident, and control the clearing of the scene. All persons at the scene, including but not limited to firefighters, ambulance drivers, paramedics, tow truck operators, and other emergency service personnel, shall obey lawful orders of a police officer.
- (c) When flaggers at highway construction or maintenance sites are directing traffic, they shall use devices and procedures conforming to the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.

⁷¹ States which have adopted §10-101 should not enact the reference to Chapter 10.

⁷² If the enacting state wishes to provide that most rules of the road violations are not misdemeanors, the word ‘violation’ should be used in subsection (a) in place of the word ‘misdemeanor,’ and subsections (b) and (c) should be adopted. These states also should adopt OPTIONAL 17-101.1 to provide a penalty for violations that are infractions. If the enacting state prefers that all traffic law violations be misdemeanors, the word ‘misdemeanor’ should be used in (a) and subsections (b) and (c) should not be adopted.

594 § 11-104 **Persons riding animals or driving animal - drawn vehicles**

595 Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be
596 granted all of the rights and shall be subject to all of the duties applicable to the driver of a motor
597 vehicle by this chapter, except those provisions of this chapter which by their very nature can
598 have no application.
599

600 § 11-105 **Persons working on highways - exceptions**

601 Unless specifically made applicable, the provisions of this chapter except those contained in
602 article IX shall not apply to persons, motor vehicles and equipment while actually engaged in
603 work upon a highway but shall apply to such persons and vehicles when traveling to or from
604 such work.
605

606 § 11-106 **Authorized emergency vehicles**

- 607 (a) The driver of an authorized emergency vehicle, when responding to an emergency call
608 or when in the pursuit of an actual or suspected violator of the law or when responding
609 to a fire alarm, may exercise the privileges set forth in this section, but subject to the
610 conditions herein stated.
- 611 (b) The driver of an authorized emergency vehicle may:
- 612 1. Park or stand, irrespective of the provisions of this chapter;
 - 613 2. Proceed past a red or stop signal or stop sign, but only after slowing down as may
614 be necessary for safe operation;
 - 615 3. Exceed the maximum speed limits so long as life or property are not thereby
616 endangered;
 - 617 4. Disregard regulations governing direction of movement or turning in specified
618 directions.
- 619 (c) The exemptions herein granted to an authorized emergency vehicle shall apply only
620 when such vehicle is making use of an audible signal meeting the requirements of §12-
621 401 (d) and visual signals meeting the requirements of §12-214 of this code, except that
622 an authorized emergency vehicle operated as a police vehicle need not be equipped with
623 or display a special visual signal visible from in front of the vehicle.
- 624 (d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle
625 from the duty to drive with due regard for the safety of all persons, nor shall such
626 provisions protect the driver from the consequences of the driver's reckless disregard for
627 the safety of others.
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630 **ARTICLE II - TRAFFIC CONTROL DEVICES**

631
632 **§ 11-201 Obedience to and required traffic-control devices**

- 633 (a) The driver of any vehicle shall obey the instructions of any official traffic-control device
634 applicable thereto placed or held in accordance with the provisions of this code, unless
635 otherwise directed by a police officer, subject to the exceptions granted the driver of an
636 authorized emergency vehicle in this code.
- 637 (b) No provision of this code for which official traffic-control devices are required shall be
638 enforced against an alleged violator if at the time and place of the alleged violation an
639 official device is not in proper position and sufficiently legible to be seen by an
640 ordinarily observant person. Whenever a particular section does not state that official
641 traffic-control devices are required, such section shall be effective even though no
642 devices are erected or in place.
- 643 (c) Whenever official traffic-control devices are placed or held in position approximately
644 conforming to the requirements of this code, such devices shall be presumed to have
645 been so placed or held by the official act or direction of lawful authority, unless the
646 contrary shall be established by competent evidence.
- 647 (d) Any official traffic-control device placed or held pursuant to the provisions of this code
648 and purporting to conform to the lawful requirements pertaining to such devices shall be
649 presumed to comply with the requirements of this code, unless the contrary shall be
650 established by competent evidence.

651
652 **§ 11-202 Traffic-control signal legend**

653 Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or
654 colored lighted arrows, successively one at a time or in combination, only the colors Green, Red
655 and Yellow shall be used, except for special pedestrian signals carrying a legend, and said lights
656 shall indicate and apply to drivers of vehicles and pedestrians as follows:

- 657 (a) Green indication
- 658 1. Vehicular traffic facing a circular green signal may proceed straight through or turn
659 right or left unless a sign at such place prohibits either such turn. But vehicular
660 traffic, including vehicles turning right or left, shall yield the right of way to other
661 vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk
662 at the time such signal is exhibited.
 - 663 2. Vehicular traffic facing a green arrow signal, shown alone or in combination with
664 another indication, may cautiously enter the intersection only to make the
665 movement indicated by such arrow, or such other movement as is permitted by
666 other indications shown at the same time. Such vehicular traffic shall yield the right
667 of way to pedestrians lawfully within an adjacent crosswalk and to other traffic
668 lawfully using the intersection.⁷³
 - 669 3. Unless otherwise directed by a pedestrian-control signal as provided in §11-203,
670 pedestrians facing any green signal, except when the sole green signal is a turn
671 arrow, may proceed across the roadway within any marked or unmarked crosswalk.
672

⁷³ It is recommended that the display of a turning green arrow alone or with another indication should indicate that during this display the turning movement is not interfered with by oncoming traffic, which simultaneously should face a red signal.

- 673 (b) Steady yellow indication⁷⁴
674 1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby
675 warned that the related green movement is being terminated or that a red indication
676 will be exhibited immediately thereafter.
677 2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise
678 directed by a pedestrian-control signal as provided in §11-203, are thereby advised
679 that there is insufficient time to cross the roadway before a red indication is shown
680 and no pedestrian shall then start to cross the roadway.
- 681 (c) Steady red indication
682 1. Vehicular traffic facing a steady circular red signal alone shall stop at a clearly
683 marked stop line, but if none, before entering the crosswalk on the near side of the
684 intersection, or if none, then before entering the intersection, and shall remain
685 standing until an indication to proceed is shown except as provided in subsection
686 (c)3.
687 2. Vehicular traffic facing a steady red arrow signal shall not enter the intersection to
688 make the movement indicated by the arrow, and unless entering the intersection to
689 make a movement permitted by another signal, shall stop at a clearly marked stop
690 line, but if none, before entering the crosswalk on the near side of the intersection,
691 or if none, then before entering the intersection and shall remain standing until an
692 indication permitting the movement indicated by such red arrow is shown except as
693 provided in subsection (c)3.
694 3. Except when a sign is in place prohibiting a turn, vehicular traffic facing any steady
695 red signal may cautiously enter the intersection to turn right, or to turn left from a
696 one-way street into a one-way street, after stopping as required by subsection (c)1
697 or subsection (c)2. After stopping, the driver shall yield the right of way to any
698 vehicle in the intersection or approaching on another roadway so closely as to
699 constitute an immediate hazard during the time such driver is moving across or
700 within the intersection or junction of roadways. Such driver shall yield the right of
701 way to pedestrians within the intersection or an adjacent crosswalk.
702 4. Unless otherwise directed by a pedestrian-control signal as provided in §11-203,
703 pedestrians facing a steady circular red or red arrow signal alone shall not enter the
704 roadway.
- 705 (d) In the event an official traffic-control signal is erected and maintained at a place other
706 than an intersection, the provisions of this section shall be applicable except as to those
707 provisions which by their nature can have no application. Any stop required shall be
708 made at a sign or marking on the pavement indicating where the stop shall be made, but
709 in the absence of any such sign or marking the stop shall be made at the signal.
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⁷⁴ It is recommended that the color yellow be used only before red. If yellow is used following the red, traffic facing the signal has a tendency to start before the green signal appears, causing interference with cross traffic clearing the intersection.

712 § 11-203 Pedestrian-control signals⁷⁵

713 Whenever special pedestrian-control signals exhibiting the “Walk” or “Don’t Walk” or
714 symbols of a “walking person” or “upraised palm” are in place, such signals shall indicate as
715 follows:

- 716 (a) *Flashing or steady Walk or Walking Person* - Any pedestrian facing the signal may
717 proceed across the roadway in the direction of the signal and every driver of a vehicle
718 shall yield the right of way to such pedestrian.
- 719 (b) *Flashing or Steady Don’t Walk or Upraised Palm* - No pedestrian shall start to cross the
720 roadway in the direction of the signal, but any pedestrian who has partially completed
721 crossing on the walk signal shall proceed to a sidewalk or safety island while the don’t
722 walk or upraised palm signal is showing.

723

724 § 11-204 Flashing signals

- 725 (a) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a
726 traffic sign it shall require obedience by vehicular traffic as follows:
- 727 1. *Flashing red (stop signal)* - When a red lens is illuminated with rapid intermittent
728 flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none,
729 before entering the crosswalk on the near side of the intersection, or if none, then at
730 the point nearest the intersecting roadway where the driver has a view of
731 approaching traffic on the intersecting roadway before entering it, and the right to
732 proceed shall be subject to the rules applicable after making a stop at a stop sign.
- 733 2. *Flashing yellow (caution signal)* - When a yellow lens is illuminated with rapid
734 intermittent flashes, drivers of vehicles may proceed through the intersection or past
735 such signal only with caution.
- 736 (b) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles
737 approaching railroad grade crossings shall be governed by the rules as set forth in § 11-
738 701 of this code.

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740 § 11-205-Lane use control signals

741 When lane use control signals are placed over individual lanes, the signals shall indicate and
742 apply to drivers of vehicles as follows:

- 743 (a) *Green indication* - vehicular traffic may travel in any lane over which a green signal is
744 shown.
- 745 (b) *Steady yellow indication* - vehicular traffic is thereby warned that a lane control change
746 is being made.
- 747 (c) *Steady red indication* - vehicular traffic shall not enter or travel in any lane over which a
748 red signal is shown.
- 749 (d) *Flashing yellow indication* - vehicular traffic may use the lane only for the purpose of
750 approaching and making a left turn.

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752 § 11-206 Display of unauthorized signs, signals, or markings

- 753 (a) No person shall place, maintain or display upon or in view of any highway any
754 unauthorized sign, signal, marking, or device which purports to be or is an imitation of

⁷⁵ In states where pedestrian-control signals using the “Wait” legend we still in use, authorization for these should be continued in the law until they are replaced.

- 755 or resembles an official traffic-control device or railroad sign or signal, or which
756 attempts to direct the movement of traffic, or which hides from view or interferes with
757 the effectiveness of an official traffic-control device or any railroad sign or signal.
- 758 (b) No person shall place or maintain nor shall any public authority permit upon any
759 highway commercial advertising on any official traffic control device except for
760 business signs included as a part of official motorist service panels or roadside area
761 information panels approved by the (State highway commission).
- 762 (c) This section shall not be deemed to prohibit the erection of signs upon private property
763 adjacent to highways giving useful directional information and of a type that cannot be
764 mistaken for official signs.
- 765 (d) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance
766 and the authority having jurisdiction over the highway is hereby empowered to remove
767 the same or cause it to be removed without notice.

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769 **§ 11-207 Interference with official traffic control devices**

770 Without lawful authority, no person shall attempt to or in fact alter, twist, deface, injure,
771 knock down, remove or interfere with the effective operation of any official traffic-control
772 device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other
773 part thereof.

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776 **ARTICLE III - DRIVING ON RIGHT SIDE OF ROADWAY -**
777 **OVERTAKING AND PASSING – NO USE OF ROADWAY**

778
779 **§ 11-301 Drive on right side of roadway - exceptions**

- 780 (a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the
781 roadway, except as follows:
782 1. When overtaking and passing another vehicle proceeding in the same direction
783 under the rules governing such movement;
784 2. When an obstruction exists making it necessary to drive to the left of the center of
785 the highway; provided any person driving to the left of the center of the highway
786 shall yield the right of way to all vehicles traveling in the proper direction upon the
787 unobstructed portion of the highway within such distance as to constitute an
788 immediate hazard;
789 3. Upon a roadway divided into three marked lanes for traffic under the rules
790 applicable thereon; or
791 4. Upon a roadway restricted to one-way traffic.
792 (b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the
793 time and place and under the conditions then existing shall be driven in the right-hand
794 lane then available for traffic, or as close as practicable to the right-hand curb or edge of
795 the roadway, except when overtaking and passing another vehicle proceeding in the
796 same direction or when preparing for a left turn at an intersection or into a private road,
797 alley, or driveway. The intent of this subsection is to facilitate the overtaking of slowly
798 moving vehicles by faster moving vehicles.
799 (c) Upon any roadway having four or more lanes for moving traffic and providing for two-
800 way movement of traffic, no vehicle shall be driven to the left of the center line of the
801 roadway, except when authorized by official traffic-control devices designating certain
802 lanes to the left side of the center of the roadway for use by traffic not otherwise
803 permitted to use such lanes, or except as permitted under subsection (a)2. This
804 subsection shall not be construed as prohibiting the crossing of the center line in making
805 a left turn into or from an alley, private road or driveway.
806

807 **§ 11-302 Passing vehicles proceeding in opposite directions**

808 Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and
809 upon roadways having width for not more than one line of traffic in each direction each driver
810 shall give to the other at least one-half of the main-traveled portion of the roadway as nearly as
811 possible.
812

813 **§ 11-303 Overtaking a vehicle on the left**

814 The following rules shall govern the overtaking and passing of vehicles proceeding in the
815 same direction, subject to those limitations, exceptions and special rules hereinafter stated:

- 816 (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall
817 pass at a safe distance to the left of the vehicle being overtaken and shall not again drive to
818 the right side of the roadway until safely clear of the overtaken vehicle.
819 (b) Except when overtaking and passing on the right is permitted, the driver of an overtaken
820 vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and
821 shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.

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§ 11-304 When passing on the right is permitted

- (a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under one or more of the following conditions:
 - 1. When the vehicle overtaken is making or about to make a left turn;
 - 2. Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
- (b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway.

§ 11-305 Limitations on overtaking on the left

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 of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable, and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of any approaching vehicle.

§ 11-306 Further limitations on driving on left of center of roadway

- (a) No vehicle shall be driven on the left side of the roadway under the following conditions:
 - 1. When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
 - 2. When approaching within 100 feet of or traversing any intersection or railroad grade crossing unless otherwise indicated by official traffic control devices;
 - 3. When the view is obstructed upon approaching within 100 feet of any bridge, viaduct or tunnel,
- (b) The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in § 11-301(a)2, nor to the driver of a vehicle turning left into or from an alley, private road, or driveway.

§ 11-307 No-passing zones

- (a) The (State highway commission) and local authorities are authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side 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; and 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.
- (b) Where signs or markings are in place to define a no-passing zone as set forth in paragraph (a) no driver shall at any time drive on the left side of the roadway within

868 such no-passing zone or on the left side of any pavement striping designed to mark such no-
869 passing zone.

870 (c) This section does not apply under the conditions described in §11-301(a)2, nor to the
871 driver of a vehicle turning left into or from an alley, private road or driveway.
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873 **§ 11-308 One-way roadways and rotary traffic islands**

874 (a) The (State highway commission) and local authorities with respect to highways under
875 their respective jurisdictions may designate any highway, roadway, part of a roadway, or
876 specific lanes upon which vehicular traffic shall proceed in one direction at all or such
877 times as shall be indicated by official traffic-control devices.

878 (b) Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the
879 direction designated at all or such times as shall be indicated by official traffic-control
880 devices.

881 (c) A vehicle passing around a rotary traffic island shall be driven only to the right of such
882 island.
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884 **§ 11-309 Driving on roadways laned for traffic**

885 Whenever any roadway has been divided into two or more clearly marked lanes for traffic,
886 the following rules, in addition to all others consistent herewith, shall apply.

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

890 (b) Upon a roadway which is divided into three lanes and provides for two-way movement
891 of traffic, a vehicle shall not be driven in the center lane except when overtaking and
892 passing another vehicle traveling in the same direction when such center lane is clear of
893 traffic within a safe distance, or in preparation for making or completing a left turn; or
894 where such center lane is at the time allocated exclusively to traffic moving in the same
895 direction that the vehicle is proceeding and such allocation is designated by official
896 traffic-control devices.

897 (c) Official traffic-control devices may be erected directing specified traffic to use a
898 designated lane or designating those lanes to be used by traffic moving in a particular
899 direction regardless of the center of the roadway and drivers of vehicles shall obey the
900 directions of every such device.

901 (d) Official traffic-control devices may be installed prohibiting the changing of lanes on
902 sections of roadway, and drivers of vehicles shall obey the directions of every such
903 device.
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905 **§ 11-310 Following too closely**

906 (a) The driver of a vehicle shall not follow another vehicle more closely than is reasonable
907 and prudent, having due regard for the speed of such vehicles and the traffic upon and
908 the condition of the highway.

909 (b) Whenever conditions permit, the driver of any truck or motor vehicle drawing another
910 vehicle when traveling upon a roadway outside of a business or residence district and
911 which is following another truck or motor vehicle drawing another vehicle, shall leave
912 sufficient space so that an overtaking vehicle may enter and occupy such space without
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914 danger, except that this shall not prevent a truck or motor vehicle drawing another
915 vehicle from overtaking and passing any vehicle or combination of vehicles.

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

921

922 **§ 11-311 Driving on divided highways**

923 (a) Whenever any highway has been divided into two or more roadways by leaving an
924 intervening space, a physical barrier, or a clearly indicated dividing section so
925 constructed as to impede vehicular traffic, every vehicle shall be driven only upon the
926 right-hand roadway unless directed or permitted to use another roadway by official
927 traffic-control devices or police officers.

928 (b) No vehicle shall be driven over, across or within any such dividing space, barrier or
929 section; except a vehicle may be driven through an opening in such physical barrier or
930 dividing section or space or at an established cross-over or intersection unless
931 specifically prohibited by public authority.

932 (c) The driver of a vehicle may turn left across a paved dividing space unless prohibited by
933 an official traffic-control device.

934

935 **§ 11-312 Restricted access**

936 No person shall drive a vehicle onto or from any controlled access highway except at such
937 entrances and exits as are established by public authority.

938

939 **§ 11-313 Restrictions on use of controlled-access roadway**

940 (a) The (State highway commission) by resolution or order entered in its minutes, and local
941 authorities by ordinance, may regulate or prohibit the use of any controlled-access
942 roadway (or highway) within their respective jurisdictions by any class or kind of traffic
943 which is found to be incompatible with the normal and safe movement of traffic.

944 (b) The (State highway commission) or the local authority adopting any such prohibition
945 shall erect and maintain official traffic-control devices on the controlled-access highway
946 on which such prohibitions are applicable and when in place no person shall disobey the
947 restrictions stated on such devices.

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ARTICLE IV - RIGHT OF WAY

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§ 11-401 Vehicle approaching or entering intersection

- (a) When two vehicles approach or enter an intersection from different highways 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.
- (b) The right of way rule declared in paragraph (a) is modified at through highways and otherwise as stated in this chapter.

§ 11-402 Vehicle turning left

The driver of a vehicle intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard.

§ 11-403 Stop signs and Yield signs

- (a) Preferential right of way may be indicated by stop signs or yield signs as authorized in § 15-109 of this code.
- (b) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or 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 it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right of way to pedestrians within an adjacent crosswalk.
- (c) The driver of vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, and if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or 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 it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right of way to pedestrians within an adjacent crosswalk. If such a driver after driving past a yield sign is involved in a collision with a vehicle in the intersection or junction of roadways or with a pedestrian in an adjacent crosswalk, such collision shall be deemed prima facie evidence of the driver’s failure to yield right of way.
- (d) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign located at a railroad crossing shall stop at the clearly marked stop line, but if none, before entering the crosswalk on the near side of the crossing, or if none, then within 50 feet but not less than 15 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for signals indicating the approach of a train or other vehicle, and shall not proceed until it is safe to do so. After stopping as required herein and proceeding when it is safe to do so, the driver shall cross only in such gear of the vehicle that there will be no necessity for

996 manually changing gears while traversing such crossing, and the driver shall not
997 manually shift gears while crossing the track or tracks.

- 998 (e) The driver of a vehicle approaching a yield sign located at a railroad crossing shall, in
999 obedience to such sign, slow down to a speed reasonable for the existing conditions, and
1000 if required for safety to stop, shall stop at the clearly marked stop line, but if none,
1001 before entering the crosswalk on the near side of the crossing, or if none, then within 50
1002 feet but not less than 15 feet from the nearest rail of such railroad, and while so stopped
1003 shall listen and look in both directions along such track for any approaching train or
1004 other vehicle and for signals indicating the approach of a train or other vehicle, and shall
1005 not proceed until it is safe to do so.

1006 If a full stop for safety is not required, the driver shall yield the right of way to any
1007 train or other vehicle within the crossing or approaching so closely as to constitute an
1008 immediate hazard during the time such driver is moving across or within the crossing. If
1009 such driver is involved in a collision with a train or other vehicle in the crossing after
1010 driving past the yield sign, such collision shall be deemed prima facie evidence of the
1011 drivers failure to yield right of way.

1012 After stopping or slowing as required herein and proceeding when it is safe to do
1013 so, the driver of any vehicle shall cross only in such gear of the vehicle that there will be
1014 no necessity for manually changing gears while traversing such crossing, and driver
1015 shall not manually shift gears while crossing, the track or tracks.

1016
1017 **§ 11-404 Vehicle entering roadway**

1018 The driver of a vehicle about to enter or cross a roadway from any place other than another
1019 roadway shall yield the right of way to all vehicles approaching on such roadway.

1020
1021 **§ 11-405 Operation of vehicles (and streetcars) on approach of authorized emergency**
1022 **vehicles**

- 1023 (a) Upon the immediate approach of an authorized emergency vehicle making use of an
1024 audible signal meeting the requirements of §12-401(d) and visual signals meeting the
1025 requirements of § 12-214 of this code, or of a police vehicle properly and lawfully
1026 making use of an audible signal only:
- 1027 1. The driver of every other vehicle shall yield the right of way and shall immediately
1028 drive to a position parallel to, and as close as possible to, the right-hand edge or
1029 curb of the roadway clear of any intersection, and shall stop and remain in such
1030 position until the authorized emergency vehicle has passed, except when otherwise
1031 directed by a police officer.
 - 1032 2. Upon the approach of an authorized emergency vehicle, the operator of every
1033 streetcar shall immediately stop such car clear of any intersection and keep it in
1034 such position until the authorized emergency vehicle has passed, except when
1035 otherwise directed by a police officer.⁷⁶
- 1036 (b) This section shall not operate to relieve the driver of an authorized emergency vehicle
1037 from the duty to drive with due regard for the safety of all persons using the highway.
1038
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⁷⁶ Subparagraph (a)2 should be omitted in states where no streetcars are in operation.

1040 **§ 11-406.-Highway construction and maintenance**

1041 (a) The driver of a vehicle shall yield the right of way to any authorized vehicle or
1042 pedestrian actually engaged in work upon a highway within any highway construction or
1043 maintenance area indicated by official traffic-control devices.

1044 b) The driver of a vehicle shall yield the right of way to any authorized vehicle obviously
1045 and actually engaged in work upon a highway whenever such vehicle displays flashing
1046 lights meeting the requirements of §12-223.

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1049 **ARTICLE V - PEDESTRIANS' RIGHTS AND DUTIES**

1050
1051 **§ 11-501 Pedestrian obedience to traffic-control devices and traffic regulations**

- 1052 (a) A pedestrian shall obey the instructions of any official traffic-control device specifically
1053 applicable to such pedestrian, unless otherwise directed by a police officer.
1054 (b) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in §5
1055 11-202 and 11-203.
1056 (c) At all other places, pedestrians shall be accorded the privileges and shall be subject to
1057 the restrictions stated in this chapter.
1058

1059 **§ 11-502 Pedestrians' right of way in crosswalks**

- 1060 (a) When traffic-control signals are not in place or not in operation, the driver of a vehicle
1061 shall yield the right of way, slowing down or stopping if need be to yield to a pedestrian
1062 crossing the roadway within a crosswalk when the pedestrian is upon the half of the
1063 roadway upon which the vehicle is traveling, or when the pedestrian is approaching so
1064 closely from the opposite half of the roadway as to be in danger.
1065 (b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into
1066 the path of a vehicle which is so close as to constitute an immediate hazard.
1067 (c) Paragraph (a) shall not apply under the conditions stated in §11-503(b).
1068 (d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at
1069 an intersection to permit a pedestrian to cross the roadway, the driver of any other
1070 vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
1071

1072 **§ 11-503 Crossing at other than crosswalks**

- 1073 (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk
1074 or within an unmarked crosswalk at an intersection shall yield the right of way to all
1075 vehicles upon the roadway.
1076 (b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead
1077 pedestrian crossing has been provided shall yield the right of way to all vehicles upon
1078 the roadway.
1079 (c) Between adjacent intersections at which traffic-control signals are in operation
1080 pedestrians shall not cross at any place except in a marked crosswalk.
1081 (d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official
1082 traffic-control devices; and when authorized to cross diagonally, pedestrians shall cross
1083 only in accordance with the official traffic-control devices pertaining to such crossing
1084 movements.
1085

1086 **§ 11-504 Drivers to exercise due care**

1087 Notwithstanding other provisions of this chapter or the provisions of any local ordinance,
1088 every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any
1089 person propelling a human powered vehicle and shall give an audible signal when necessary, and
1090 shall exercise proper precaution upon observing any child or any obviously confused,
1091 incapacitated or intoxicated person.
1092

1093 **§ 11-505 Pedestrians to use right half of crosswalks**

1094 Whenever practicable, pedestrians shall move upon the right half of crosswalks.

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§ 11-506 Pedestrians on highways

- (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- (b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on the shoulder, as far as practicable from the edge of the roadway.
- (c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the left side of the roadway.
- (d) Except as otherwise provided in this chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.

§ 11-507 Pedestrians soliciting rides or business

- (a) No person shall stand in a roadway for the purpose of soliciting a ride.
- (b) No person shall stand on a highway for the purpose of soliciting employment, business, or contributions from the occupant of any vehicle.
- (c) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any parked vehicle or any vehicle about to be parked on a street or highway.

§ 11-508 Driving through safety zone prohibited

No vehicle shall at any time be driven through or within a safety zone.

§ 11-509 Pedestrians' right of way on sidewalks

The driver of a vehicle crossing a sidewalk shall yield the right of way to any pedestrian and all other traffic on the sidewalk.

§ 11-510 Pedestrians yield to authorized emergency vehicles

- (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of § 12-401(d) and visual signals meeting the requirements of § 12-214 of this code, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right of way to the authorized emergency vehicle.
- (b) 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 using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

§ 11-511 Blind pedestrian right of way

The driver of a vehicle shall yield the right of way to any blind pedestrian carrying a visible white cane or accompanied by a guide dog.

§ 11-512 Pedestrians under influence of alcohol or drugs

A pedestrian who is under the influence of alcohol or any drug to a degree which renders such pedestrian a hazard shall not walk or be upon a highway except on a sidewalk.

1141 **§ 11-513 Bridge and railroad signals**

1142 (a) After a bridge operation signal has been given, no pedestrian shall enter or remain upon
1143 the bridge or approach thereto beyond the bridge signal, gate or barrier.

1144 (b) No pedestrian shall pass through, around, over or under any crossing gate or barrier at a
1145 railroad grade crossing or bridge while such gate or barrier is closed or is being opened
1146 or closed.

1147

1148 **ARTICLE VI - TURNING AND STARTING**
1149 **AND**
1150 **SIGNALS ON STOPPING AND TURNING**
1151

1152 **§ 11-601 Required position and method of turning**

1153 The driver of a vehicle intending to turn shall do so as follows:

- 1154 (a) *Right turns* - Both the approach for a right turn and a right turn shall be made as close as
1155 practicable to the right-hand curb or edge of the roadway.
1156 (b) *Left turns* - The driver of a vehicle intending to turn left shall approach the turn in the
1157 extreme left lane lawfully available to traffic moving in the direction of travel of such
1158 vehicle. Whenever practicable, the left turn shall be made to the left of the center of the
1159 intersection so as to leave the intersection or other location in the extreme left lane
1160 lawfully available to traffic.
1161 (c) The state highway commission and local authorities in their respective jurisdictions may
1162 cause official traffic-control devices to be placed and thereby require and direct that a
1163 different course from that specified in this section be traveled by turning vehicles, and
1164 when such devices are so placed no driver shall turn a vehicle other than as directed and
1165 required by such devices.
1166 (d) *Two-way left turn lanes* - Where a special lane for making left turns by drivers
1167 proceeding in opposite directions has been indicated by official traffic-control devices:
1168 1. A left turn shall not be made from any other lane,
1169 2. A vehicle shall not be driven in the lane except when preparing for or making a left
1170 turn from or into the roadway or when preparing for or making a U turn when otherwise
1171 permitted by law.
1172

1173 **§ 11-602 Limitations on U-turns**

- 1174 (a) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite
1175 direction unless such movement can be made in safety and without interfering with other
1176 traffic.
1177 (b) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or
1178 upon the approach to or near the crest of a grade, where such vehicle cannot be seen by
1179 the driver of any other vehicle approaching from either direction within 500 feet.
1180

1181 **§ 11-603 Starting a parked vehicle**

1182 No person shall start a vehicle which is stopped, standing or parked unless and until such
1183 movement can be made with reasonable safety.
1184

1185 **§ 11-604 Turning movements and required signals**

- 1186 (a) No person shall turn a vehicle or move right or left upon a roadway unless and until such
1187 movement can be made with reasonable safety nor without giving an appropriate signal.
1188 (b) For vehicles equipped with mechanical or electrical turn signals, a signal of intention to
1189 turn or move right or left shall be given continuously during not less than the last 100
1190 feet traveled by the vehicle before turning.
1191 (c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an
1192 appropriate signal to the driver of any vehicle immediately to the rear when there is
1193 opportunity to give such signal.

1194 (d) The signals required on vehicles by §11-605(b) shall not be flashed on one side only of a
1195 disabled vehicle, flashed as a courtesy or “do pass” signal to operators of other vehicles
1196 approaching from the rear, nor be flashed on one side only of a parked vehicle except as
1197 may be necessary for compliance with this section.
1198

1199 **§ 11-605 Signals by hand and arm or signal lamps**

- 1200 (a) Any stop or turn signal when required shall be given either by means of the hand and
1201 arm or by signal lamps, except as otherwise provided in paragraph (b).
1202 (b) Any motor vehicle in use on a highway shall be equipped with, and required signal shall
1203 be given by, signal lamps when the distance from the center of the top of the steering
1204 post to the left outside limit of the body, cab or load of such motor vehicle exceeds 24
1205 inches, or when the distance from the center of the top of the steering post to the rear
1206 limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to
1207 any single vehicle and to any combination of vehicles.
1208 (c) The signals required on vehicles by subsection (b) shall not be flashed on one side only
1209 on a disabled vehicle, flashed as a courtesy or “do pass” signal to operators of other
1210 vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle
1211 except as may be necessary for compliance with this section.
1212

1213 **§ 11-606 Method of giving hand-and-arm signals**

1214 All hand-and-arm signals shall be given from the left side of the vehicle in the following
1215 manner and such signals shall indicate as follows:

- 1216 1. *Left turn* - Hand and arm extended horizontally.
1217 2. *Right turn* - Hand and arm extended upward.
1218 3. *Stop or decrease speed* - Hand and arm extended downward.

1219 Notwithstanding the foregoing provisions, a person operating a bicycle may give a right turn
1220 signal by extending the right hand and arm horizontally and to the right side of the bicycle.
1221
1222

1223 **ARTICLE VII - SPECIAL STOPS REQUIRED**

1224
1225 **§ 11-701 Obedience to signal indicating approach of train**

- 1226 (a) Whenever any person driving a vehicle approaches a railroad grade crossing under any
1227 of the circumstances stated in this section, the driver of such vehicle shall stop within 50
1228 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed
1229 until it is safe to do so. The foregoing requirements shall apply when:
- 1230 1. A clearly visible electric or mechanical signal device gives warning of the
1231 immediate approach of a railroad train;
 - 1232 2. A crossing gate is lowered or when a human flagger gives or continues to give a
1233 signal of the approach or passage of a railroad train;
 - 1234 3. A railroad train approaching within approximately 1,500 feet of the highway
1235 crossing emits a signal audible from such distance, or such railroad train by reason
1236 of its speed or nearness to such crossing is an immediate hazard;
 - 1237 4. An approaching railroad train is plainly visible and is in hazardous proximity to
1238 such crossing.
- 1239 (b) No person shall drive any vehicle through, around or under any crossing gate or barrier
1240 at a railroad crossing while such gate or barrier is closed or is being opened or closed.
1241

1242 **§ 11-702 Certain vehicles must stop at all railroad grade crossings**

- 1243 (a) Except as provided in subsection (b), the driver of any vehicle described in regulations
1244 issued pursuant to subsection (c), before crossing at grade any track or tracks of a
1245 railroad, shall stop such vehicle within 50 feet but not less than 15 feet from the nearest
1246 rail of such railroad and, while so stopped shall listen and look in both directions along
1247 such track for any approaching train and for signals indicating the approach of a train
1248 and shall not proceed until it is safe to do so. After stopping as required, upon
1249 proceeding when it is safe to do so, the driver of the vehicle shall cross only in a gear of
1250 the vehicle that will not require manually changing gears while traversing such crossing,
1251 and the driver shall not manually shift gears while crossing the track or tracks.
- 1252 (b) This section shall not apply at:
- 1253 1. Any railroad grade crossing at which traffic is controlled by a police officer or
1254 human flagger;
 - 1255 2. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;
 - 1256 3. Any railroad grade crossing protected by crossing gates or an alternately flashing
1257 light signal intended to give warning of the approach of a railroad train;
 - 1258 4. Any railroad grade crossing at which an official traffic control device gives notice
1259 that the stopping requirement imposed by this section does not apply.
- 1260 (c) The (commissioner or other appropriate State official or agency) shall adopt such
1261 regulations as may be necessary describing the vehicles which must comply with the
1262 stopping requirements of this section. In formulating such regulations the (commissioner
1263 or other appropriate State official or agency) shall give consideration to the number of
1264 passengers carried by the vehicle and the hazardous nature of any substance carried by
1265 the vehicle in determining whether such vehicle shall be required to stop. Such
1266 regulations shall correlate with and so far as possible conform to the most recent
1267 regulation of the United States Department of Transportation.⁷⁷

⁷⁷ This regulation can be found in 49 Code of Federal Regulations 392.10.

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§ 11-703 Moving heavy equipment at railroad grade crossings

- (a) 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 10 or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.
- (b) Notice of any such intended crossing shall be given to a station agent of such railroad and a reasonable time be given to such railroad to provide proper protection at such crossing.
- (c) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop not less than 15 feet nor more than 50 feet from the nearest rail of the railroad tracks, 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.
- (d) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or car. If a flagger is provided by the railroad, movement over the crossing shall be under the flagger's direction.

§ 11-704 Emerging from alley, driveway or building

The driver of a vehicle emerging from an alley, building, private road, or driveway within a business or residence district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, private road, or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon.

§ 11-705 Overtaking and passing school bus

- (a) The driver of a vehicle meeting or overtaking from either direction any school bus meeting the color and identification requirements of §12-222(a), (b) and (c) of this code stopped on the highway shall stop before reaching such school bus when there is in operation on that school bus the flashing red lights specified in §12-222(a). The driver shall not proceed until such school bus resumes motion or the flashing red lights are no longer actuated.
- (b) The red visual signals meeting the requirements of § 12-222(a) of this code shall be actuated by the driver of the school bus only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children. A school bus driver shall not actuate said special visual signals:
 - 1. In business districts and on urban arterial streets designed by the (State highway commission) or local authorities;
 - 2. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
 - 3. In designated school bus loading areas where the bus is entirely off the roadway.

1313 (c) The driver of a vehicle upon a highway with separate roadways need not stop upon
1314 meeting or passing a school bus which is on a different roadway, or when the school bus
1315 is stopped upon a controlled- access highway in a loading zone which is a part of or
1316 adjacent to such highway and where pedestrians are not permitted to cross the roadway.
1317

1318 **ARTICLE VIII - SPEED RESTRICTIONS**

1319
1320 **§ 11-801 Basic rule**

1321 No person shall drive a vehicle at a speed greater than is reasonable and prudent under the
1322 conditions, including actual and potential hazards then existing. Consistent with the foregoing,
1323 every person shall drive at a safe and appropriate speed when approaching and crossing an
1324 intersection or railroad grade crossing, when approaching and going around a curve, when
1325 approaching the crest of a hill, when traveling upon any narrow or winding roadway, and when
1326 special hazards exist with respect to pedestrians or other traffic or by reason of weather or
1327 highway conditions.

1328
1329 **§ 11-802 Maximum limits**

1330 Except when a special hazard exists that requires lower speed for compliance with §11-801,
1331 the limits hereinafter specified shall be maximum lawful speeds, and no person shall drive a
1332 vehicle at a speed in excess of such maximum limits.

- 1333 1. Thirty miles per hour in any urban district;
1334 2. Fifty-five miles per hour in other locations.

1335 The maximum speed limits set forth in this section may be altered as authorized in §11-803
1336 and §11-804.

1337
1338 **§ 11-803 Establishment of State speed zones**

1339 Whenever the (State highway commission) shall determine upon the basis of an engineering
1340 and traffic investigation that any maximum speed specified in §11-802 is greater or less than is
1341 reasonable or safe under the conditions found to exist at any intersection or other place or upon
1342 any part of the State highway system, the (commission) may specify a reasonable and safe
1343 maximum limit, which shall be effective when appropriate signs giving notice thereof are
1344 erected. Such a maximum speed limit may be effective at all times or at such times as are
1345 indicated by appropriate signs; and differing limits may be established for different times of day,
1346 different types of vehicles, varying weather conditions, and other factors bearing on safe speeds,
1347 which shall be effective when posted upon appropriate fixed or variable signs.

1348
1349 **§ 11-804 When local authorities may and shall alter maximum limits**

- 1350 (a) Whenever local authorities in their respective jurisdictions determine on the basis of an
1351 engineering and traffic investigation that the maximum speed permitted under this
1352 article is greater or less than is reasonable and safe under the conditions found to exist
1353 upon a highway or part of a highway, the local authority may determine and declare a
1354 reasonable and safe maximum limit thereon which:

- 1355 1. Decreases the limit at intersections; or
1356 2. Increases the limit within an urban district but not to more than 55 miles per hour;
1357 or
1358 3. Decreases the limit outside an urban district, but not to less than 35 miles per hour.

- 1359 (b) Local authorities in their respective jurisdictions shall determine by an engineering and
1360 traffic investigation the proper maximum speed for all arterial streets and shall declare a
1361 reasonable and safe maximum limit thereon which may be greater or less than the
1362 maximum speed permitted under this code for an urban district.
1363

- 1364 (c) Any altered limit shall be effective at all times, or during hours of darkness or at other
1365 times as may be determined when appropriate signs giving notice thereof are erected
1366 upon such street or highway.
1367 (d) Any alteration of maximum limits on State highways or extensions thereof in a
1368 municipality by local authorities shall not be effective until such alteration has been
1369 approved by the (State highway commission).
1370 (e) Not more than six such alterations as hereinabove authorized shall be made per mile
1371 along a street or highway, except in the case of reduced limits at intersections, and the
1372 difference between adjacent limits shall not be more than 10 miles per hour.
1373

1374 **§ 11-805 Minimum speed regulation**

- 1375 (a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and
1376 reasonable movement of traffic except when reduced speed is necessary for safe
1377 operation or in compliance with law.
1378 (b) Whenever the (State highway commission) or local authorities within their respective
1379 jurisdictions determine on the basis of an engineering and traffic investigation that slow
1380 speeds on any highway or part of a highway impede the normal and reasonable
1381 movement of traffic, the (commission) or such local authority may establish a minimum
1382 speed limit below which no person shall drive a vehicle except when necessary for safe
1383 operation or in compliance with law, and that limit shall be effective when posted upon
1384 appropriate fixed or variable signs.
1385

1386 **§ 11-806 Special speed limitation on motor-driven cycles**

1387 No person shall operate any motor-driven cycle at any time mentioned in §12-201 at a speed
1388 greater than 35 miles per hour unless such motor-driven cycle is equipped with a head lamp or
1389 lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.
1390

1391 **§ 11-807 Special speed limitations**

- 1392 (a) No person shall drive a vehicle which is towing a house trailer at a speed greater than a
1393 maximum of 45 miles per hour.
1394 (b) No person shall drive a vehicle over any bridge or other elevated structure constituting a
1395 part of a highway at a speed which is greater than the maximum speed which can be
1396 maintained with safety to such bridge or structure, when such structure is signposted as
1397 provided in this section.
1398 (c) The (State highway commission) and local authorities on highways under their
1399 respective jurisdictions may conduct an investigation of any bridge or other elevated
1400 structure constituting a part of a highway, and if it shall thereupon find that such
1401 structure cannot with safety to itself withstand vehicles traveling at the speed otherwise
1402 permissible under this chapter, the (commission) or local authority shall establish the
1403 maximum speed of vehicles which such structure can safely withstand, and shall cause
1404 or permit suitable signs stating such maximum speed to be erected and maintained
1405 before each end of such structure.
1406 (d) Upon the trial of any person charged with a violation of this section, proof of the
1407 determination of the maximum speed by the (commission) and the existence of the signs
1408 shall constitute conclusive evidence of the maximum speed which can be maintained
1409 with safety to such bridge or structure.

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§ 11-808 Charging violations and rule in civil actions

- (a) In every charge of violation of any speed regulation in this article, the complaint and the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven and the maximum speed applicable within the district or at the location.
- (b) The provision of this article declaring maximum speed limitations shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

§ 11-809 Racing on highways

- (a) No person shall drive any vehicle in any race, speed competition, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record; and no person shall in any manner participate in any such race, competition, contest, test or exhibition.
- (b) Drag race is defined as the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.
- (c) Racing is defined as the use of one or more vehicles in an attempt to: outgain, outdistance, or prevent another vehicle from passing; to arrive at a given destination ahead of another vehicle or vehicles; or to test the physical stamina or endurance of drivers over long distance driving routes.
- (d) Any person convicted of violating this section shall be punished as provided in §17-101(b).
- (e) This section does not apply to persons riding bicycles.

1437 **ARTICLE IX - DUI AND OTHER SERIOUS TRAFFIC OFFENSES** ⁷⁸
1438

1439 **§ 11-901 Unlawful to consume alcoholic beverages while driving a motor vehicle or to**
1440 **possess an open container of alcoholic beverage within the passenger area of a**
1441 **motor vehicle while on a highway**

- 1442 (a) It is unlawful for a person to consume an alcoholic beverage while driving a vehicle on a
1443 public highway.
1444 (b) Except as otherwise provided in this subsection, it is unlawful for a person to possess an
1445 open container of an alcoholic beverage within the passenger area of a motor vehicle
1446 while the motor vehicle is on a public highway. This prohibition does not apply to a
1447 motor vehicle being used primarily for the transportation of persons for compensation or
1448 to the living quarters of a house coach, house trailer, or recreational vehicle nor does it
1449 apply to a vehicle operated by a chauffeur in his or her for-hire capacity.
1450 (c) Violations of this section are punishable by a fine of not more than (\$500), or
1451 imprisonment for not more than (30) days, or both such fine and imprisonment.
1452

1453 **§ 11-902 Driving under the influence of alcohol or drugs; under the extreme influence of**
1454 **alcohol; alcohol and drug abuse evaluation and treatment**

- 1455 (a) A person shall not drive any vehicle while:
1456 1. the alcohol concentration in such person's blood or breath is 0.08 or more;
1457 2. the alcohol concentration in such persons blood or breath as measured within (two)
1458 hours of the time of driving is 0.08 or more;
1459 3. under the influence of alcohol;
1460 4. under the influence of any drug or combination of drugs to a degree which renders
1461 such person incapable of safely driving; or,
1462 5. under the combined influence of alcohol and any drug or drugs to a degree that
1463 renders such person incapable of safely driving.
1464 (b) Under the extreme influence of alcohol: a person shall not drive any vehicle while:
1465 1. the alcohol concentration in such person's blood or breath is (0.16)⁷⁹ or more; or,
1466 2. the alcohol concentration in such person's blood or breath as measured within (two)
1467 hours of the time of driving is (0.16) or more.
1468 (c) A person convicted of violating subsection (a) shall be punished as follows:
1469 1. For a first offense, a person shall be sentenced to imprisonment for not less than
1470 (ten) days or more than (one) year or to pay a fine of not less than (\$250) nor more
1471 than (\$1,000) or to both such imprisonment and fine. The department shall suspend
1472 the person's license for (180) days.
1473 2. For a second or subsequent conviction within (five) years, a person shall be
1474 sentenced to imprisonment for not less than (90) days nor more than (one) year) and
1475

⁷⁸ This article covers serious traffic offenses: sections 11-901 through 11-908 are related to driving under the influence; sections 11-909 through 11-911 relate to reckless driving, homicide by vehicle, and fleeing or attempting to elude a police officer.

⁷⁹ States may wish to change this number; the National Committee recommends that the minimum BAC for extreme influence be twice the minimum BAC for driving under the influence.

1476 shall pay a fine of not less than (\$500) nor more than (\$1,000). The department
 1477 shall revoke the person's license for (one year).⁸⁰

1478 (d) A person convicted of violating subsection (b) shall be punished as follows:

1479 1. For a first offense a person shall be sentenced to imprisonment for not less than (30)
 1480 days and not more than (one year) with at least (30) consecutive days in jail without
 1481 the benefit of probation or suspension of the sentence and shall pay a fine of not
 1482 less than (\$500) nor more than (\$1000). The department shall revoke the person's
 1483 license for (one year).⁸¹

1484 2. For a second or subsequent offense within (five) years, a person shall be sentenced
 1485 to imprisonment for not less than (120) days and not more than (one) year with at
 1486 least (60) days to be served consecutively without the benefit of probation or
 1487 suspension and shall pay a fine of not less than (\$1,000) nor more than (\$2,000).
 1488 The department shall revoke the person's license for (two)⁸² years.

1489 (e)

1490 1. Before sentencing any person convicted of violating either subsections (a) or (b),
 1491 the court shall conduct or order an appropriate examination or examinations to
 1492 determine whether the person needs or would benefit from treatment for alcohol or
 1493 other drug abuse.

1494 2. In addition to the penalties imposed under subsections (c) and (d) and after
 1495 receiving the results of the examination in subparagraph (1) under this subsection,
 1496 or upon a hearing and determination that the person is an habitual user of alcohol or
 1497 other drugs, the court may order supervised treatment on an outpatient basis, or
 1498 upon additional determinations that the person constitutes a danger to self or others
 1499 and that adequate treatment facilities are available, the court may order such person
 1500 committed for treatment at a facility or institution approved by the (state department
 1501 of health).

1502 3. Any person subject to this subsection may be examined by a physician of such
 1503 person's own choosing. The court shall consider the results of any such
 1504 examination.

1505 4. Upon application for a driver's license by any person under an order of commitment
 1506 or supervised treatment pursuant to subparagraph (2) under this subsection, the
 1507 results of the examination referred to in subparagraph (1) of this subsection and a
 1508

⁸⁰ States concerned about the hardship that might result from a one-year license revocation could enact the following (or another hardship) provision: Notwithstanding any other provision of law, after 30 days following a license suspension or revocation the department may issue a limited license to the driver if no prior limited license has been issued within the preceding 12 months and there has been no prior license suspension or revocation. In issuing a limited license, the department may impose the conditions and limitations that in its judgment are necessary to the interests of the public safety and welfare. The license may be limited to the operation of a particular vehicle (or vehicles) or to a particular class (or classes) of vehicle, and to time of operation. The limited license issued by the department shall indicate the limitations imposed, and the driver operating under a limited license shall have the license in his or her possession at all times when driving a motor vehicle.

⁸¹ See footnote 80.

⁸² This is an exception from the general UVC practice authorizing revocation of the license for one year. States concerned about the hardship that might result from a two-year license revocation could enact the hardship provision enumerated in footnote 10.

- 1509 report of the progress of the treatment ordered shall be forwarded by the applicant
1510 to the department for consideration by the health advisory board.
- 1511 5. The department may after receiving the advice of the health advisory board issue a
1512 license to such person with conditions and restrictions that are consistent with the
1513 progress of the person's rehabilitation and the protection of the public.
- 1514 (f) A court may order a person convicted of a violation of either subsections (a) or (b), who
1515 has had his or her license restored, to only operate motor vehicles that are equipped with
1516 a certified ignition interlock device.
- 1517 (g) The fact that any person charged with violating either subsections (a) or (b) is or has
1518 been legally entitled to use alcohol or any drug shall not constitute a defense against any
1519 charge of violating this section.
- 1520 (h) A sentencing judge may permit any jail sentence or any portion of a jail sentence
1521 imposed for violating either subsections (a) or (b) and punished under either subsections
1522 (c) or (d) to be served under a home detention program.
- 1523 (i) A person convicted of violating either subsections (a) or (b) may be ordered by the court
1524 to perform community service, to pay restitution to any victims, and to pay the costs
1525 associated with an incarceration, a home detention program, an alcohol-drug abuse
1526 evaluation or a treatment program.

1527
1528 **§ 11-903 Chemical and other tests**

- 1529 (a) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to
1530 have been committed by any person driving under the influence of alcohol or drugs,
1531 evidence of the concentration of alcohol or drugs in a person at the time alleged, as
1532 determined by analysis of the person's blood, urine, breath or other bodily substance,
1533 shall be admissible by any party to such action or proceeding. Where such a test is made
1534 the following provisions shall apply:
- 1535 1. Chemical analyses of the person's blood, urine, breath, or other bodily substance to
1536 be considered valid under the provisions of this section shall have been performed
1537 according to methods approved by the (state department of health) and by an
1538 individual possessing a valid permit issued by the (state department of health) for
1539 this purpose. The (state department of health) is authorized to approve satisfactory
1540 techniques or methods, to ascertain the qualifications and competence of individuals
1541 to conduct such analyses, and to issue permits that shall be subject to termination or
1542 revocation at the discretion of the (state department of health).
- 1543 2. When a person submits to a blood test at the request of a law enforcement officer,
1544 only a qualified person⁸³ may withdraw blood for the purpose of determining the
1545 alcoholic or drug content therein. This limitation shall not apply to the taking of
1546 breath specimens.
- 1547 3. Upon the request of the person who submitted to a chemical test or tests at the
1548 request of a law enforcement officer, the results of such test or tests shall be made
1549 available to the person or such person's attorney.
- 1550 (b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to
1551 have been committed by a person driving under the influence of alcohol, if the
1552 concentration of alcohol in the person's blood or breath at the time alleged as shown by

⁸³ The state shall determine the definition of qualified person.

1553 analysis of the person's blood or breath was less than 0.08, such fact shall not give rise
1554 to any presumption that the person was not under the influence of alcohol, but may be
1555 considered with other competent evidence in determining that issue. This provision shall
1556 not be construed as limiting the introduction of any other competent evidence bearing
1557 upon the question whether the person was under the influence of drugs.
1558 (c) If a person under arrest refuses to submit to a chemical test under the provisions of this
1559 section, evidence of such refusal shall be admissible by any party in any civil or criminal
1560 action or proceeding arising out of acts alleged to have been committed while the person
1561 was driving under the influence of alcohol or drugs.
1562

1563 **§ 11-904 Implied Consent and Administrative License Suspension, including duties of**
1564 **the officer and opportunity for a hearing**

- 1565 (a) Any person who operates a vehicle upon the highways of this State shall be deemed to
1566 have given consent to a test or tests of such operator's blood or breath, for the purpose of
1567 determining the operator's alcohol concentration, and to a test or tests of such operator's
1568 blood, urine, or other bodily substances for purpose of detecting the presence of drugs.
1569 The test or tests shall be administered at the direction of a law enforcement officer who
1570 has arrested that person for, or has probable cause to believe, that the person has
1571 operated a vehicle under the influence of alcohol and/or drugs or other controlled
1572 substances, or in the case of a person under the age of 21 years, that such person has
1573 operated a vehicle while having any measurable amount of alcohol in his or her system.
1574 (b) Any person who is dead, unconscious or who is otherwise in a condition rendering one
1575 incapable of refusal, shall be deemed not to have withdrawn the consent provided by
1576 paragraph (a) of this section and the test or tests may be administered, subject to the
1577 provisions of section 11-903.
1578 (c) A person requested to submit to a test as provided above shall be warned by the law
1579 enforcement officer requesting the test that a refusal to submit to or the failure to
1580 complete the test will result in the immediate suspension of such person's license to
1581 operate a motor vehicle for (one year).
1582 (d) If the person refuses testing or fails to complete it, or submits to a test required under
1583 subsection (a) which discloses an alcohol concentration of 0.08 or more, or if the officer
1584 otherwise makes the determination based on probable cause that the person operated a
1585 vehicle under the influence of alcohol and/or drugs or other controlled substances, on
1586 behalf of the Department of Motor vehicles the officer directing administration of the
1587 test or making such determination shall serve on the person immediate notice of the
1588 Department's intention to suspend the person's license to operate a motor vehicle. Such
1589 officer also shall submit a sworn report to the Department certifying one of the
1590 following:
1591 1. the test was requested pursuant to subsection (a) and the person refused to submit to
1592 testing or failed to complete it:
1593 2. the person submitted to a test that disclosed an alcohol concentration of 0.08 or
1594 more;
1595 3. the officer made an arrest based on probable cause that the person operated a
1596 vehicle under the influence of alcohol or drugs or other controlled substances.
1597

1598 (e) Upon receipt of the sworn report of a law enforcement officer submitted under
1599 subsection (d), the department shall suspend the driver's license of the person for a
1600 period of:
1601 1. (one year) for refusal to take the requested test or the failure to complete it;
1602 2. (180 days) if the person submitted to testing required under subsection (a) which
1603 disclosed an alcohol concentration of 0.08 or more;
1604 3. (180 days) if the officer made the arrest based on probable cause that the person
1605 operated a vehicle under the influence of alcohol and/or drugs or other controlled
1606 substances.

1607 (f) On behalf of the department, the law enforcement officer submitting the sworn report
1608 under subsection (d) shall serve immediate notice of the suspension on the person, and
1609 the suspension shall be effective (30) days after the date of service. If the person has a
1610 valid license, the officer shall take the driver's license of the person and issue a
1611 temporary license valid for the notice period. The officer shall send the license to the
1612 department along with the sworn report under subsection (d). If approved by the
1613 Department of Motor Vehicles, a citation or notice of suspension issued by the officer
1614 also may serve as the temporary license certificate.

1615 In cases where the law enforcement officer has not served notice, the department
1616 shall give reasonable notice as provided in section (*insert reference to appropriate state*
1617 *notice provision*) and the suspension shall be effective (30) days after the date of service.
1618 If the address shown in the law enforcement officer's report differs from that shown on
1619 the department records, the notice shall be mailed to both addresses.

1620 (g) A license suspension under this section shall become effective (30) days after the date of
1621 service of the notice of suspension. Any person whose license is suspended under this
1622 section may make a written request for a hearing. The request shall state the grounds
1623 upon which the person seeks to have the suspension rescinded. The filing of the request
1624 shall not stay the suspension. The hearing shall be held within (20) days after filing of
1625 the request in the county in which the alleged offense occurred, unless the person and
1626 the department agree to a different location. The hearing shall be recorded and be
1627 conducted by the department's designated agent.⁸⁴ The hearing may be conducted upon
1628 a review of the law enforcement officer's own reports, provided however that the person
1629 may subpoena the officer. The department may issue subpoenas to compel the
1630 attendance of witnesses. The scope of the hearing shall be limited to the issues of:
1631 1. whether the law enforcement officer requested the test;
1632 2. whether the person was warned as required by subsection (c);
1633 3. whether the person was driving a vehicle;
1634 4. whether the person refused to submit to the testing or failed to complete it; and
1635 5. whether a properly administered test or tests disclosed an alcohol concentration of
1636 0.08 or more.

1637
1638

⁸⁴ Alternatively, states may wish to have the hearing conducted by a judge using an administrative standard, at the defendants initial hearing on the criminal charge.

1639 § 11-905 **Zero tolerance - Applicable to persons under age 21: implied consent to**
1640 **testing; administrative license revocation for refusal to submit to chemical test**
1641 **or having BAC of .02 or more; notice to persons under the age of 21 years**
1642 **prior to licensure; duties of officer if test refused or failed.**

- 1643 (a) Notwithstanding any other provision of law, it is unlawful for a person under the age of
1644 21 years who has an alcohol concentration of 0.02 or more, as measured by a
1645 preliminary alcohol screening test or a test authorized by section 11-903, to drive a
1646 vehicle. The penalty for a person under the age of 21 years driving with an alcohol
1647 concentration of 0.02 or more is suspension of the driving privilege for (180 days).
- 1648 (b) If a law enforcement officer detains a person under 21 years of age who is driving a
1649 vehicle, and the officer has reasonable cause to believe that the person has any
1650 measurable amount of alcohol in his or her system and a preliminary alcohol screening
1651 device is immediately available, the officer shall request that the person take a
1652 preliminary alcohol screening test to determine the possible presence and amount of
1653 alcohol in the person. If a preliminary alcohol screening is not immediately available,
1654 the officer may request that the person submit to chemical testing of his or her blood or
1655 breath pursuant to the requirements of sections 11-903.
- 1656 (c) Any person under the age of 21 years who drives a vehicle, or his or her parent or
1657 guardian on behalf of such person under age 21, is deemed to have given consent to a
1658 preliminary alcohol screening test or any test authorized by section 11-903 or 11-904 for
1659 the purpose of determining the presence of alcohol in the person, if such person was
1660 lawfully detained for an alleged violation of subsection (a). Any person under age 21
1661 who is dead, unconscious or who is otherwise in a condition rendering such person
1662 incapable of refusal, shall be deemed to have provided the consent authorized by this
1663 subsection and the test or tests may be administered.
- 1664 (d) A person under the age of 21 years requested to submit to a test as provided by this
1665 section shall be told by the law enforcement officer requesting the test that a refusal to
1666 submit to or the failure to complete a preliminary alcohol screening test or a test
1667 authorized by section 11-903 or 11-904, as requested by the officer, will result in the
1668 suspension of such person's license to operate a motor vehicle for (one year).
- 1669 (e) If the person refuses to take or fails to complete the preliminary alcohol screening test,
1670 or refuses to take or fails to complete a chemical test if a preliminary alcohol screening
1671 device is not immediately available, or if the person takes the preliminary alcohol
1672 screening test and that test reveals a blood alcohol concentration of 0.02 percent or
1673 more, or if the person takes a chemical test pursuant to the provisions of section 11-903
1674

1675 revealing a blood alcohol concentration of 0.02 or more, the officer shall proceed as
 1676 follows:⁸⁵

- 1677 1. Acting on behalf of the Department, the officer shall serve the person with a notice
 1678 of an order of suspension of the person's driving privilege.
- 1679 2. The officer shall take possession of any driver's license issued by this State which
 1680 is held by the person. On behalf of the Department, when the officer takes
 1681 possession of a valid driver's license, the officer shall issue a temporary driver's
 1682 license. The temporary driver's license may be an endorsement on the notice of the
 1683 order of suspension and shall be valid for 30 days from the date of issuance.
- 1684 3. Within 5 business days after the day the notice of suspension is served, the officer
 1685 shall forward to the Department a copy of the completed notice of order of
 1686 suspension, the driver's license if taken into possession pursuant to paragraph (2),
 1687 and any other reports which may be required by law or regulation.

1688 (f) Before issuing a driver's license or permit to any person under 21 years of age, the
 1689 Department of Motor Vehicles shall inform the applicant of, and the applicant shall sign
 1690 a statement acknowledging notification of, the following information:

- 1691 1. It is unlawful for anyone under the age of 21 to drive with an alcohol concentration
 1692 of 0.02 or greater, as measured by a preliminary alcohol-screening test or other
 1693 chemical test,
- 1694 2. The penalty for driving with an alcohol concentration of 0.02 or greater is a
 1695 suspension of the driving privilege for (180 days).
- 1696 3. For a person under the age of 21, a refusal to take or a failure to complete a
 1697 preliminary alcohol screening test or other chemical test for the purpose of
 1698 determining the person's level of alcohol concentration shall result in a (one year)
 1699 suspension of the driving privilege.

1700 (g) A license suspension under this section shall become effective (30) days after the date of
 1701 service of the notice of suspension. Any person whose license is suspended under this
 1702 section may make a written request for a hearing. The request shall state the grounds
 1703 upon which the person seeks to have the suspension rescinded. The filing of the request
 1704 shall not stay the suspension. The hearing shall be held within 20 days after filing of the
 1705 request in the county in which the alleged offense occurred, unless the person and the
 1706 department agree to a different location. The hearing shall be recorded, and be
 1707 conducted by the department's designated agent. The hearing may be conducted upon a
 1708 review of the law enforcement officer's own reports; provided, however, that the person
 1709 may subpoena the officer. The department may issue subpoenas to compel the

⁸⁵ The intention of the drafters is to provide the law enforcement officer with an expedited procedure for suspending and seizing the license of persons under the age of 21 who have been drinking. On behalf of the department of motor vehicles, section 11-905 authorizes the officer to serve a person under age 21 with a notice of suspension and to take possession of that person's license after such person either refuses to take or to complete the preliminary alcohol screening test, or takes the preliminary alcohol screening test and that test reveals a blood alcohol concentration of 0.02 or more. The drafters believe that whenever a person under the age of 21 takes a preliminary alcohol test and that test reveals a blood alcohol level of 0.02 or more, that section 11-905 (rather than section 11-904) should be utilized to immediately seize and suspend that person's license, even when that person's BAC registers 0.08 and above. The drafters believe that establishing this procedure as the typical approach to underage drinking will make zero tolerance enforcement easier and therefore more prevalent; and pursuing this administrative approach would not preclude pursuing additional criminal actions under the provisions of section 11-902.

1710 attendance of witnesses, The scope of the hearing shall be limited to the issues of:
1711 1. whether the law enforcement officer requested the test;
1712 2. whether the person was warned as required by subsection (d);
1713 3. whether the person was driving a vehicle;
1714 4. whether the person refused to submit to the testing or failed to complete it;
1715 5. whether a properly administered test or tests disclosed an alcohol concentration of
1716 0.02 or more.

1717 (h) Notwithstanding any other provision of law, the Department of Motor Vehicles of this
1718 state may require anyone under the age of 21 years who has had his or her license
1719 suspended pursuant to this section, as one requirement to have the license reissued, to
1720 attend a course or participate in counseling designed to discourage those under the age
1721 of 21 years from drinking alcohol.
1722

1723 **§ 11-906 Preliminary Alcohol Screening Test**

1724 When a law enforcement officer has articulable grounds to suspect that a person may have
1725 been violating section 11-902, or that a person under age 21 may have been driving with a
1726 measurable alcohol concentration, the officer may request that the suspect submit to a
1727 preliminary alcohol screening test of the suspect's breath to determine such person's alcohol
1728 concentration using a device approved for that purpose by the (State Department of Health).
1729 Nothing in this section precludes the officer from further requesting or requiring additional
1730 testing pursuant to any section of this Act or any other provision of law.
1731

1732 **§ 11-907 Chemical test of drivers in serious personal injury or fatal crashes**

1733 Notwithstanding the provisions of any other law, when the driver of a vehicle is involved in a
1734 crash resulting in death or serious personal injury of another person, and there is reason to
1735 believe that the driver was driving under the influence of alcohol or drugs, the driver may be
1736 compelled by a police officer to submit to a test or tests of his or her blood, breath or urine to
1737 determine the person's alcohol concentration or the presence of other drugs.
1738

1739 **§ 11-908 Limits on Plea Bargaining**

1740 When the prosecution agrees to a plea of guilty or nolo contendere to a charge of a violation
1741 other than §11-902(a), in satisfaction of or as a substitute for an original charge or a violation of 11-
1742 902(a), the prosecution shall state for the record a factual basis for the satisfaction or substitution,
1743 including whether or not there had been consumption of any alcoholic beverage or ingestion or
1744 administration of any other drug, or both, by the defendant in connection with the offense.
1745

1746 **§ 11-909 Reckless driving**

1747 (a) Any person who drives any vehicle in willful or wanton disregard for the safety of
1748 persons or property is guilty of reckless driving.
1749 (b) Every person convicted of reckless driving shall be punished upon a first conviction by
1750 imprisonment for a period of not less than five days nor more than 90 days, or by a fine
1751 of not less than \$25 nor more than (\$500), or by both such fine and imprisonment, and
1752 on a second or subsequent conviction shall be punished by imprisonment for not less
1753 than 10 days nor more than six months, or by a fine of not less than \$50 nor more than
1754 (\$500), or by both such fine and imprisonment.
1755

1756 **§ 11-910 Homicide by vehicle**

1757 (a) Whoever shall unlawfully and unintentionally cause the death of another person, while
1758 engaged in a violation of any state law or municipal ordinance applying to the operation
1759 or use of a vehicle or to the regulation of traffic, shall be guilty of homicide by vehicle
1760 when such violation is the proximate cause of that death.

1761 (b) Any person convicted of homicide by vehicle shall be fined not less than \$500 nor more
1762 than \$2,000, or shall be imprisoned in the county jail not less than three months nor
1763 more than one year, or may be so fined and so imprisoned, or shall be imprisoned in the
1764 penitentiary for a term not less than one year nor more than five years.

1765
1766

1767 **§ 11-911 Fleeing or attempting to elude a police officer**

1768 (a) Any driver of a motor vehicle who willfully fails or refuses to bring his or her vehicle to
1769 a stop, or who otherwise flees or attempts to elude a pursuing police vehicle when given
1770 a visual or audible signal to bring the, vehicle to a stop, shall be guilty of a
1771 misdemeanor. The signal given by the police officer may be by hand, voice, emergency
1772 light or siren. The officer giving such signal shall be in uniform, prominently displaying
1773 the officer's badge of office, and the officer's vehicle shall be appropriately marked,
1774 showing it to be an official police vehicle.

1775 (b) Every person convicted of fleeing or attempting to elude a police officer shall be
1776 punished by imprisonment for not less than 30 days nor more than six months, or by a
1777 fine of not less than \$100 nor more than \$500, or by both such fine and imprisonment.
1778
1779

1780 **ARTICLE X - STOPPING, STANDING AND PARKING**

1781
1782 **§ 11-1001 Stopping, standing or parking outside business or residence districts**

- 1783 (a) Outside a business or residence district no person shall stop, park or leave standing any
1784 vehicle, whether attended or unattended, upon the roadway when it is practicable to stop,
1785 park or so leave such vehicle off the roadway, but in every event an unobstructed width
1786 of the highway opposite a standing vehicle shall be left for the free passage of other
1787 vehicles and a clear view of such stopped vehicle shall be available from a distance of
1788 200 feet in each direction upon such highway.
- 1789 (b) This section, § 11-1003 and § 11-1004 shall not apply to the driver of any vehicle which
1790 is disabled in such manner and to such extent that it is impossible to avoid stopping and
1791 temporarily leaving the vehicle in such position.

1792
1793 **§ 11-1002 Officers authorized to remove vehicles**

- 1794 (a) Whenever any police officer finds a vehicle in violation of any of the provisions of §11-
1795 1001 the officer is hereby authorized to move such vehicle, or require the driver or other
1796 person in charge of the vehicle to move it off the roadway.
- 1797 (b) Any police officer is hereby authorized to remove or cause to be removed to a place of
1798 safety any unattended vehicle illegally left standing upon any highway, bridge,
1799 causeway, or in any tunnel, in such position or under such circumstances as to obstruct
1800 the normal movement of traffic.
- 1801 (c) Any police officer is hereby authorized to remove or cause to be removed to the nearest
1802 garage or other place of safety any vehicle found upon a highway when:
- 1803 1. Report has been made that such vehicle has been stolen or taken without the
1804 consent of its owner, or
 - 1805 2. The person or persons in charge of such vehicle are unable to provide for its
1806 custody or removal, or
 - 1807 3. When the person driving or in control of such vehicle is arrested for an alleged
1808 offense for which the officer is required by law to take the person arrested before a
1809 proper magistrate without unnecessary delay.

1810
1811 **§ 11-1003 Stopping, standing, or parking prohibited in specified places**

- 1812 (a) Except when necessary to avoid conflict with other traffic, or in compliance with law or
1813 the directions of a police officer or official traffic-control device, no person shall:
- 1814 1. Stop, stand, or park a vehicle:
 - 1815 A. On the roadway side of any vehicle stopped or parked at the edge or curb of a
1816 street;
 - 1817 B. On a sidewalk;
 - 1818 C. Within an intersection;
 - 1819 D. On a crosswalk;
 - 1820 E. Between a safety zone and the adjacent curb or within 30 feet of points on the
1821 curb immediately opposite the ends of a safety zone, unless a different length
1822 is indicated by signs or markings;
 - 1823 F. Alongside or opposite any street excavation or obstruction when stopping,
1824 standing, or parking would obstruct traffic;

- 1826 G. Upon any bridge or other elevated structure upon a highway or within a
- 1827 highway tunnel;
- 1828 H. On any railroad tracks;
- 1829 I. On any controlled-access highway;
- 1830 J. In the area between roadways of a divided highway, including crossovers;
- 1831 K. On highways and elsewhere throughout the state in any parking space
- 1832 designated by the International Access Symbol without displaying an
- 1833 authorized disabled parking registration plate, removable windshield placard,
- 1834 or temporary removable windshield placard as defined in § 3-901.
- 1835 L. At any place where official traffic-control devices prohibit stopping.
- 1836 2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or
- 1837 discharge a passenger or passengers:
- 1838 A. In front of a public or private driveway;
- 1839 B. Within 15 feet of a fire hydrant;
- 1840 C. Within 20 feet of a crosswalk at an intersection;
- 1841 D. Within 30 feet of any flashing signal, stop sign, yield sign or traffic-control
- 1842 signal located at the side of a roadway;
- 1843 E. Within 20 feet of the driveway entrance to any fire station and on the side of a
- 1844 street opposite the entrance to any fire station within 75 feet of the entrance
- 1845 (when properly signposted);
- 1846 F. At any place where official traffic control devices prohibit standing.
- 1847 3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and
- 1848 while actually engaged in loading or unloading property or passengers:
- 1849 A. Within 50 feet of the nearest rail of a railroad crossing;
- 1850 B. At any place where official traffic control devices prohibit parking.
- 1851 (b) No person shall move a vehicle not lawfully under such person's control into any such
- 1852 prohibited area or away from a curb such a distance as is unlawful.
- 1853

1854 **§ 11-1004 Additional parking regulations**

- 1855 (a) Except as otherwise provided in this section, every vehicle stopped or parked upon a
- 1856 two-way roadway shall be so stopped or parked with the right-hand wheels parallel to
- 1857 and within 12 inches of the right-hand curb or as close as practicable to the right edge of
- 1858 the right-hand shoulder.
- 1859 (b) Except when otherwise provided by local ordinance, every vehicle stopped or parked
- 1860 upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the
- 1861 roadway, in the direction of authorized traffic movement, with its right-hand wheels
- 1862 within 12 inches of the right-hand curb or as close as practicable to the right edge of the
- 1863 right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb
- 1864 or as close as practicable to the left edge of the left-hand shoulder.
- 1865 (c) Local authorities may permit angle parking on any roadway, except that angle parking
- 1866 shall not be permitted on any Federal-aid or State highway unless the (State highway
- 1867 commission or State highway engineer) has determined that the roadway is of sufficient
- 1868 width to permit angle parking without interfering with the free movement of traffic.
- 1869 (d) The (State highway commission) with respect to highways under its jurisdiction may
- 1870 place official traffic control devices prohibiting, limiting, or restricting the stopping,
- 1871 standing or parking of vehicles on any highway where in its opinion such stopping,

1872 standing or parking is dangerous to those using the highway or where the stopping,
1873 standing or parking of vehicles would unduly interfere with the free movement of traffic
1874 thereon. No person shall stop, stand or park any vehicle in violation of the restrictions
1875 indicated by such devices.
1876

1877 **§ 11-1005 Disabled Parking with International Symbol of Access**

- 1878 (a) Disabled parking registration plates, removable windshield placards, or temporary
1879 removable windshield placards, in accordance with Section 3-901, et seq. displaying the
1880 International Symbol of Access, shall be the only recognized means of identifying
1881 vehicles permitted to utilize parking spaces reserved for persons with disabilities.
1882 (b) Removable windshield placards and temporary removable windshield placards shall be
1883 displayed in such a manner that they may be viewed from the front and rear of the
1884 vehicle by hanging from the front windshield rearview mirror of a vehicle utilizing a
1885 parking space „reserved for persons with disabilities. When there is no rearview mirror,
1886 the placard shall be displayed on the dashboard.
1887 (c) Disabled parking registration plates, removable windshield placards, and temporary
1888 removable windshield placards, issued by the authority of other states and countries for
1889 the purpose of identifying vehicles permitted to utilize parking spaces reserved for
1890 persons with disabilities shall be recognized and accorded all rights and privileges as
1891 such identification devices issued under the authority of this state.
1892
1893

1894 **ARTICLE XI - MISCELLANEOUS RULES**

1895
1896 **§ 11-1101-Unattended motor vehicle**

1897 No person driving or in charge of a motor vehicle shall permit it to stand unattended without
1898 first stopping the engine, locking the ignition, removing the key from the ignition, effectively
1899 setting the brake thereon, and when standing upon any grade, turning the front wheels to the curb
1900 or side of the highway.

1901
1902 **§ 11-1102 Limitations on backing**

- 1903 (a) The driver of a vehicle shall not back the vehicle unless such movement can be made
1904 with safety and without interfering with other traffic.
1905 (b) The driver of a vehicle shall not back the vehicle upon any shoulder or roadway of any
1906 controlled-access highway.

1907
1908 **§ 11-1103 Driving upon sidewalk**

1909 No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent
1910 or duly authorized temporary driveway. This section shall not apply to any vehicle moved
1911 exclusively by human power nor to any motorized wheelchair.

1912
1913 **§ 11-1104 Obstruction to driver's view or driving mechanism**

- 1914 (a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat
1915 such a number of persons, as to obstruct the view of the driver to the front or sides of the
1916 vehicle or as to interfere with the driver's control over the driving mechanism of the
1917 vehicle.
1918 (b) No passenger in a vehicle (or streetcar) shall ride in such position as to interfere with the
1919 driver's (or streetcar operator's) view ahead or to the sides, or to interfere with such
1920 person's control over the driving mechanism of the vehicle (or streetcar.)
1921 (c) No person shall drive a vehicle while a child or any other person or an animal is so
1922 positioned as to be between the body of the driver and the steering wheel.

1923
1924 **§ 11-1105 Opening and closing vehicle doors**

1925 No person shall open any door on a motor vehicle unless and until it is reasonably safe to do
1926 so and can be done without interfering with the movement of other traffic, nor shall any person
1927 leave a door open on a side of a vehicle adjacent to moving traffic for a period of time longer
1928 than necessary to load or unload passengers.

1929
1930 **§ 11-1106 Riding in house trailers**

1931 No person or persons shall occupy a house trailer while it is being moved upon a highway.

1932
1933 **§ 11-1107 Driving on mountain highways**

1934 The driver of a motor vehicle traveling through defiles or canyons or on mountain highways
1935 shall hold such motor vehicle under control and as near the right-hand edge of the roadway as
1936 reasonably possible and, except when driving entirely to the right of the center of the roadway,
1937 shall give audible warning with the horn of such motor vehicle upon approaching any curve
1938 where the view is obstructed within a distance of 200 feet along the highway.
1939

1940 § 11-1108 **Coasting prohibited**
1941 (a) The driver of any motor vehicle when traveling upon a down grade shall not coast with
1942 the gears or transmission of such vehicle in neutral.
1943 (b) The driver of a truck or bus when traveling upon a down grade shall not coast with the
1944 clutch disengaged.

1945
1946 § 11-1109 **Following fire apparatus prohibited**
1947 The driver of any vehicle other than one on official business shall not follow any fire
1948 apparatus traveling in response to a fire alarm closer than 500 feet or stop within 500 feet of any
1949 fire apparatus stopped in answer to a fire alarm.

1950
1951 § 11-1110 **Crossing fire hose**
1952 No vehicle shall be driven over any unprotected hose of a fire department when laid down on
1953 any street, private road or driveway to be used at any fire or alarm of fire, without the consent of
1954 the fire department official in command.

1955
1956 § 11-1111 **Putting glass, etc., on highway prohibited**
1957 (a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks,
1958 wire, cans or any other substance likely to injure any person, animal or vehicle.
1959 (b) Any person who drops, or permits to be dropped or thrown, upon any highway any
1960 destructive or injurious material shall immediately remove the same or cause it to be
1961 removed.
1962 (c) Any person removing a wrecked or damaged vehicle from a highway shall remove any
1963 glass or other injurious substance dropped upon the highway from such vehicle.

1964
1965 § 11-1112 **Stop when traffic obstructed**
1966 No driver shall enter an intersection or a marked crosswalk or drive onto any railroad grade
1967 crossing unless there is sufficient space on the other side of the intersection, crosswalk or
1968 railroad grade crossing to accommodate the vehicle such driver is operating without obstructing
1969 the passage of other vehicles, pedestrians or railroad trains, notwithstanding any traffic-control
1970 signal indication to proceed.

1971
1972 § 11-1113 **Snowmobile operation limited**
1973 (a) No person shall operate a snowmobile on any controlled-access highway.
1974 (b) No person shall operate a snowmobile on any other highway except when crossing the
1975 highway at a right angle, when use of the highway by other motor vehicles is impossible
1976 because of snow, or when such operation is authorized by the authority having
1977 jurisdiction over the highway.

1978
1979 § 11-1114 **Railroad trains not to block crossings**
1980 No person or government agency shall operate any train in such a manner as to prevent
1981 vehicular use of any roadway for a period of time in excess of five consecutive minutes except:
1982 1. When necessary to comply with signals affecting the safety of the movement of trains;
1983 2. When necessary to avoid striking any object or person on the track;
1984 3. When the train is disabled;
1985 4. When the train is in motion and engaged in switching operations;

- 1986 5. When there is no vehicular traffic waiting to use the crossing; or
1987 6. When necessary to comply with a governmental safety regulation.

1988
1989 **§ 11-1115 Eye protection devices**

1990 Every person operating a motor vehicle that is not equipped with a windshield in position to
1991 deflect objects which would hit such person's face shall wear an eye-protection device of a type
1992 approved by the commissioner. This section shall not apply to a person operating a motorcycle.

1993
1994 **§ 11-1116 Rights and duties - motorized wheelchairs**

1995 Every person operating a motorized wheelchair shall have all of the rights and all of the
1996 duties applicable to a pedestrian contained in Chapter 11 except to those provisions which by
1997 their nature can have no application.

1998
1999 **§ 11-1117 Funeral and other processions**

- 2000 (a) No driver of a vehicle (or operator of a streetcar) shall drive between the vehicles
2001 comprising a funeral or other authorized procession while they are in motion and when
2002 such vehicles are conspicuously designated as required in this section. This provision
2003 shall not apply at intersections where traffic is controlled by traffic-control signals or
2004 police officers.
2005 (b) Each driver in a funeral or other procession shall drive as near to the right-hand edge of
2006 the roadway as practicable and shall follow the vehicle ahead as close as is practicable
2007 and safe.
2008 (c) A funeral composed of a procession of vehicles shall be identified as such by the
2009 display, visible through the windshield or upon the outside of each vehicle, of a pennant,
2010 placard, or other identifying marking, and by turning on the headlights of each vehicle in
2011 the procession.

2012
2013 **§ 11-1118 Carrying passengers unsecured in rear**

- 2014 (a) No person, driving a truck with a gross weight of (10,000) pounds or less, commonly
2015 known as a pickup truck, or driving a flatbed motortruck of any weight, shall transport
2016 any minor under the age of (18) in the back of the truck; and no minor under the age of
2017 (18) years shall ride in the back of the truck.
2018 (b) Subdivision (a) does not apply if any of the following conditions are met:
2019 1. The space in the back of the truck is enclosed to a height of 46 inches extending
2020 vertically from the floor.
2021 2. The vehicle has installed any means of preventing the minor from being discharged
2022 from the back.
2023 3. The minor in the back of the truck is secured to the vehicle in a manner that will
2024 prevent the minor from being thrown, falling, or jumping from the vehicle.
2025 (c) This section does not apply to the transportation of employees, as that term is defined in
2026 the pertinent labor code of the state; and nothing in this section permits transportation of
2027 employees in a manner inconsistent with state or federal laws or regulations.
2028

2029 **ARTICLE XII - OPERATION OF BICYCLES, OTHER HUMAN-POWERED**
2030 **VEHICLES, AND MOPEDS**

2031
2032 **§ 11-1201 Effect of regulations**

- 2033 (a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act
2034 required in this article.
2035 (b) The parent of any child and the guardian of any ward shall not authorize or knowingly
2036 permit any such child or ward to violate any of the provisions of this article.
2037

2038 **§ 11-1202 Traffic laws apply to persons on bicycles and other human powered vehicles**

2039 Every person propelling a vehicle by human power or riding a bicycle shall have all of the
2040 rights and all of the duties applicable to the driver of any other vehicle under chapters 10 and 11,
2041 except as to special regulations in this article and except as to those provisions which by their
2042 nature can have no application.
2043

2044 **§ 11-1203 Riding on bicycles**

2045 No bicycle shall be used to carry more persons at one time than the number for which it is
2046 designed or equipped, except that an adult rider may carry a child securely attached to adult rider
2047 in a backpack or sling.
2048

2049 **§ 11-1204 Clinging to vehicles**

- 2050 (a) No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach
2051 the same or himself or herself to any (streetcar or) vehicle upon a roadway.
2052 (b) This section shall not prohibit attaching a bicycle trailer or bicycle semitrailer to a
2053 bicycle if that trailer or semitrailer has been designed for such attachment.
2054

2055 **§ 11-1205 Position on roadway**

- 2056 (a) Any person operating a bicycle or a moped upon a roadway at less than the normal
2057 speed of traffic at the time and place and under the conditions then existing shall ride as
2058 close as practicable to the right-hand curb or edge of the roadway except under any of
2059 the following situations:
2060 1. When overtaking and passing another bicycle or vehicle proceeding in the same
2061 direction.
2062 2. When preparing for a left turn at an intersection or into a private road or driveway.
2063 3. When reasonably necessary to avoid conditions including but not limited to: fixed
2064 or moving objects; parked or moving vehicles; bicycles; pedestrians; animals;
2065 surface hazards; or substandard width lanes that make it unsafe to continue along
2066 the right-hand curb or edge. For purposes of this section, a “substandard width
2067 lane” is a lane that is too narrow for a bicycle and a motor vehicle to travel safely
2068 side by side within the lane.
2069 4. When riding in the right-turn-only lane.
2070 (b) Any person operating a bicycle or a moped upon a one-way highway with two or more
2071 marked traffic lanes may ride as near the left-hand curb or edge of such roadway as
2072 practicable.
2073
2074

2075 **§ 11-1206 Riding two abreast**

2076 Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths
2077 or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall
2078 not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride
2079 within a single lane.
2080

2081 **§ 11-1207 Carrying articles**

2082 No person operating a bicycle shall carry any package, bundle or article which prevents the
2083 use of both hands in the control and operation of the bicycle. A person operating a bicycle shall
2084 keep at least one hand on the handlebars at all times.
2085

2086 **§ 11-1208 Left turns**

- 2087 (a) A person riding a bicycle or a moped intending to turn left shall follow a course
2088 described in §11-601 or in subsection (b).
2089 (b) A person riding a bicycle or a moped intending to turn left shall approach the turn as
2090 close as practicable to the right curb or edge of the roadway. After proceeding across the
2091 intersecting roadway to the far corner of the curb or intersection of the roadway edges,
2092 the bicyclist or moped driver shall stop, as much as practicable out of the way of traffic.
2093 After stopping the bicyclist or moped driver shall yield to any traffic proceeding in
2094 either direction along the roadway the bicyclist had been using. After yielding, and
2095 complying with any official traffic control device or police officer regulating traffic on
2096 the highway along which he or she intends to proceed, the bicyclist or moped driver may
2097 proceed in the new direction.
2098 (c) Notwithstanding the foregoing provisions, the state highway commission and local
2099 authorities in their respective jurisdictions may cause official traffic-control devices to
2100 be placed and thereby require and direct that a specific course be traveled by turning
2101 bicycles or mopeds, and when such devices are so placed, no person shall turn a bicycle
2102 or a moped other than as directed and required by such devices.
2103

2104 **§ 11-1209 Bicycles and human powered vehicles on sidewalks**

- 2105 (a) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and
2106 along a crosswalk, shall yield the right of way to any pedestrian and shall give audible
2107 signal before overtaking and passing such pedestrian.
2108 (b) A person shall not ride a bicycle upon and along a sidewalk, or across a roadway upon
2109 and along a crosswalk, where such use of bicycles is prohibited by official traffic-control
2110 devices.
2111 (c) A person propelling a vehicle by human power upon and along a sidewalk, or across a
2112 roadway upon and along a crosswalk, shall have all the rights and duties applicable to a
2113 pedestrian under the same circumstances.
2114

2115 **§ 11-1210 Bicycle parking**

- 2116 (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by an official
2117 traffic control device.
2118 (b) A bicycle parked on a sidewalk shall not impede the normal and reasonable movement
2119 of pedestrian or other traffic.
2120

- 2121 (c) A bicycle may be parked on the roadway at any angle to the curb or edge of the roadway
2122 at any location where parking is allowed.
- 2123 (d) A bicycle may be parked on the roadway abreast of another bicycle or bicycles near the
2124 side of the roadway at any location where parking is allowed.
- 2125 (e) A person shall not park a bicycle on a roadway in such a manner as to obstruct the
2126 movement of a legally parked motor vehicle.
- 2127 (f) In all other respects, bicycles parked anywhere on a highway shall conform with the
2128 provisions of article X regulating the parking of vehicles.
2129

2130 **§ 11-1211 Bicycle racing**

- 2131 (a) By agreement with the approving authority, participants in an approved bicycle highway
2132 racing event may be exempted from compliance with any traffic laws otherwise
2133 applicable thereto, provided that traffic control is adequate to assure the safety of all
2134 highway users.
- 2135 (b) Bicycle racing on a highway shall not be unlawful when a racing event has been
2136 approved by state or local authorities on any highway under their respective
2137 jurisdictions. Approval of bicycle highway racing events shall be granted only under
2138 conditions which assure reasonable safety for all race participants, spectators and other
2139 highway users, and which prevent unreasonable interference with traffic flow which
2140 would seriously inconvenience other highway users.
2141

2142 **§ 11-1212 Mopeds in bicycle lanes**

2143 Upon any roadway where motor vehicles are permitted, a person may drive a moped in any
2144 lane designated for the use of bicycles.
2145

2146 **ARTICLE XIII - SPECIAL RULES FOR MOTORCYCLES**

2147
2148 **§ 11-1301 Traffic laws apply to persons operating motorcycles**

2149 Every person operating a motorcycle shall be granted all of the rights and shall be subject to
2150 all of the duties applicable to the driver of any other vehicle under this code, except as to special
2151 regulations in this article and except as to those provisions of this code which by their nature can
2152 have no application.

2153
2154 **§ 11-1302 Riding on motorcycles**

- 2155 (a) A person operating a motorcycle shall ride only upon the permanent and regular seat
2156 attached thereto, and such operator shall not carry any other person nor shall any other
2157 person ride on a motorcycle unless such motorcycle is designed to carry more than one
2158 person, in which event a passenger may ride upon the permanent and regular seat if
2159 designed for two persons, or upon another seat firmly attached to the motorcycle at the
2160 rear or side of the operator.
- 2161 (b) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward,
2162 with one leg on each side of the motorcycle.
- 2163 (c) No person shall operate a motorcycle while carrying any package, bundle, or other
2164 article which prevents such person from keeping both hands on the handlebars.
- 2165 (d) No operator shall carry any person, nor shall any person ride, in a position that will
2166 interfere with the operation or control of the motorcycle or the view of the operator.

2167
2168 **§ 11-1303 Operating motorcycles on roadways laned for traffic**

- 2169 (a) All motorcycles, other than mopeds, are entitled to full use of a lane and no motor
2170 vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a
2171 lane. This subsection shall not apply to motorcycles operated two abreast in a single
2172 lane.
- 2173 (b) The operator of a motorcycle shall not overtake and pass in the same lane occupied by
2174 the vehicle being overtaken. This subsection shall not apply to a motorcyclist passing a
2175 bicycle, to the driver of a moped, nor to a police officer in the performance of the
2176 officer's duties.
- 2177 (c) No person shall operate a motorcycle between lanes of traffic or between adjacent lines
2178 or rows of vehicles. This subsection shall not apply to police officers in the performance
2179 of their duties.
- 2180 (d) Motorcycles shall not be operated more than two abreast in a single lane.

2181
2182 **§ 11-1304 Clinging to other vehicles**

2183 No person riding upon a motorcycle shall attach himself or herself, or the motorcycle to any
2184 other vehicle (or streetcar) on a roadway.

2185
2186 **§ 11-1305 Footrests and handlebars**

- 2187 (a) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be
2188 equipped with footrests for such passenger.
- 2189 (b) No person shall operate any motorcycle with handlebars more than 15 inches in height
2190 above that portion of the seat occupied by the operator.

- 2192 § 11-1306 **Equipment for motorcycle riders**
2193 (a) No person shall operate or ride upon a motorcycle unless such person is wearing
2194 protective headgear which complies with standards established by the commissioner.
2195 (b) No person shall operate a motorcycle unless such person is wearing an eye-protective
2196 device of a type approved by the commissioner, except when the motorcycle is equipped
2197 with a windscreen.
2198 (c) This section shall not apply to persons riding within an enclosed cab or on a golf cart.
2199 (d) The commissioner is hereby authorized to approve or disapprove protective headgear
2200 and eye-protective devices, and to issue and enforce regulations establishing standards
2201 and specifications for the approval thereof. The commissioner shall publish lists of all
2202 protective headgear and eye-protective devices by name and type which have been so
2203 approved.
2204

- 2205 § 11-1307 **Headlamps on motorcycles during operation**
2206 (a) No person shall operate a motorcycle unless the headlamps are lighted at all times
2207 during operation. Motorcycles may be driven to the nearest repair facility for headlamp
2208 repair except during hours of darkness.
2209 (b) Except at times when headlamps are required to be lighted as provided by §12-201, the
2210 headlamps of motorcycles may be modulated whenever the motorcycle is in operation
2211 during daylight hours.
2212 (c) Subsection (a) shall not apply to motorcycles manufactured prior to _____ (date).
2213
2214

ARTICLE XIV – STREETCARS⁸⁶

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§ 11-1401 Traffic laws apply to operators of streetcars

Every operator of a streetcar upon any 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 and chapter 10, except regulations and provisions which by their nature can have no application.

§ 11-1402 Passing streetcar on left

- (a) The driver of a vehicle shall not overtake and pass upon the left nor drive upon the left side of any streetcar proceeding in the same direction, whether such streetcar is actually in motion or temporarily at rest, except:
 1. When so directed by a police officer;
 2. When upon a one-way street; or
 3. When upon a street where the tracks are so located as to prevent compliance with this section.
- (b) The driver of any vehicle when permitted to overtake and pass upon the left of a streetcar which has stopped for the purpose of receiving or discharging any passenger shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right of way when required by other sections of this chapter.

§ 11-1403 Passing streetcar on right

The driver of a vehicle overtaking upon the right any streetcar stopped or about to stop for the purpose of receiving or discharging any passenger shall stop such vehicle at least five feet to the rear of the nearest running board or door of such streetcar and thereupon remain standing until all passengers have boarded such car or upon alighting have reached a place of safety, except that where a safety zone has been established, a vehicle need not be brought to a stop before passing any such streetcar but may proceed past such car at a speed not greater than is reasonable and proper and with due caution for the safety of pedestrians.

§ 11-1404 Driving on streetcar tracks

- (a) The driver of any vehicle proceeding upon any streetcar track in front of a streetcar upon a street shall remove such vehicle from the track as soon as practical after signal from the operator of the streetcar.
- (b) When a streetcar has lawfully entered and is crossing an intersection, no driver of a vehicle shall drive upon or across the car tracks within the intersection in front of the streetcar when there is a possibility of a collision.
- (c) Upon overtaking and passing a streetcar, the driver of a vehicle shall not turn in front of such streetcar so as to interfere with or impede its movement.

⁸⁶ This article should be omitted in states where no streetcars are in operation.

2256 **ARTICLE XV - VICTIMS OF A TRAFFIC-RELATED OFFENSES⁸⁷**
2257

2258 **§ 11-1501 Definitions**

- 2259 (a) "Catastrophic injury" means an injury to any person which consists of a physical
2260 condition that creates a substantial risk of death, serious personal disfigurement, or
2261 protracted loss or impairment of the function of any bodily member or organ.
2262 (b) "Victim" means a person who has been catastrophically injured as a result of a traffic-
2263 related offense committed by another person, or the spouse, parent, child, sibling or
2264 representative of a person killed or catastrophically injured as a result of a traffic-related
2265 offense committed by another person.
2266

2267 **§ 11-1502 Rights of victims**

2268 Victims shall have the following rights:

- 2269 (a) To speedy prosecution of the offense. In any criminal justice proceeding, the police, the
2270 prosecutor, and the court shall take appropriate action to ensure speedy prosecution of
2271 the defendant. Victims shall be informed by the prosecuting attorney of any motions
2272 which would result in delay of the prosecution and be allowed to object in writing.
2273 (b) Upon request by the victim, to be informed by the police investigating the case of the
2274 status of the investigation, and by the prosecuting attorney prior to any critical decisions
2275 concerning the case including the charging decision, diversion, dismissal, or other
2276 disposition.
2277 (c) To be present at any time the defendant has the right to be present during all criminal
2278 justice proceedings related to an offense unless the court determines that exclusion is
2279 necessary to protect the confidentiality of juvenile or similar proceedings. If a victim is
2280 unable to attend the court proceedings, the court may designate a representative of the
2281 victim who has the same right to be present as the victim would have had.
2282 (d) To make victim impact statements to the court including information about the financial,
2283 emotional, psychological, and physical effects of the crime on the victim, the
2284 circumstances surrounding the crime, the manner in which it was perpetrated, and the
2285 victim's opinion of any recommended sentence of the convicted offender. A victim may
2286 present an impact statement to the court either orally or in writing.
2287 (e) To an order of restitution if the order is authorized by the laws of this state.
2288

2289 **§ 11-1503 Law Enforcement Agency**

- 2290 (a) At the time of the initial contact between any law enforcement agency and the victim,
2291 the law enforcement agency investigating the case shall provide the victim a written
2292 statement of rights which shall include the following information:
2293 1. A statement and explanation of the victim's rights as enumerated by Section 11-
2294 1502 of this code;
2295 2. The availability of victim assistance, medical and emergency services;
2296

⁸⁷ Drafter should cross-reference or harmonize these provisions pertaining to victims' rights with other similar statutory requirements.

- 2297 3. The availability of victim compensation benefits, including the name, office
2298 address, and telephone number of the contact person(s) responsible for
2299 administering the program; and
2300 4. The office addresses and telephone numbers of appropriate victim support and
2301 services groups.
- 2302 (b) As soon as available, the police shall provide to the victim the following:
2303 1. The office address and telephone number of the prosecutor's office;
2304 2. The case number and the names, office addresses, and telephone numbers of the law
2305 enforcement officers assigned to investigate the case; and
2306 3. If known, whether the suspect has been taken into custody, and if taken into
2307 custody, whether released and any conditions attached to the release.
2308

2309 **§ 11-1504 Prosecutor**

- 2310 (a) Upon request by the victim for information concerning the criminal court proceedings, a
2311 prosecuting attorney shall inform the victim of the following:
2312 1. A statement and explanation of the victim's rights as enumerated by Section 11-1502.
2313 2. The actual assignment of the case, including case number, and the court to which it is
2314 assigned;
2315 3. The date, time, and location of any criminal proceedings relative to the offense;
2316 4. The availability of crime victim compensation benefits, including the name, office
2317 address, and telephone numbers of contact persons responsible for administering the
2318 program;
2319 5. The availability of any transportation services to court proceedings;
2320 6. Whether the defendant has a right to review the presentence reports and impact
2321 statements;
2322 7. Whether the defendant has the right to attend and make a statement at the sentencing
2323 hearing;
2324 8. The time and place of any hearing for the reconsideration of the sentence imposed;
2325 and
2326 9. The right to receive information from corrections officials concerning imprisonment
2327 and release.
2328 10. If the defendant appeals, the prosecutor shall inform the victim of the status of the
2329 case on appeal and the decision of the appellate court upon disposition.
- 2330 (b) The prosecutor shall notify the victim in writing of the date, time, and location of the
2331 sentencing hearing and advise the victim of the opportunity to present a victim's impact
2332 statement or to appear at the sentencing proceeding.
2333

2334 **§ 11-1505 Probation Department**

2335 The Probation Department, in preparing any pre-sentence report on the defendant, must
2336 attempt to consult with the victim and must include a written victim impact statement as part of
2337 the pre-sentence report if the victim chooses to submit one. If the victim cannot be located or
2338 declines to cooperate, the probation officer must include a notation to that effect in the report.
2339

2340 **§ 11-1506 Court**

2341 The Court shall orally inform victims present at the sentencing hearing of their right to
2342 present victim impact statements.

2343 **Article XVI - "Safe Streets Act" - Vehicle Immobilization resulting from continuing to**
2344 **drive when the driver's license is suspended or revoked for DWI or DUI**
2345

2346 **§ 11-1601 Vehicle Immobilization**

- 2347 (a) For purposes of this Article, vehicle "immobilization" means rendering a motor vehicle
2348 inoperable. The Department is authorized to immobilize a motor vehicle utilizing, at its
2349 discretion, any of the following methods:
- 2350 1. taking possession of the vehicle as provided in state or local impoundment
2351 procedures;
 - 2352 2. immobilizing the vehicle on private property designated by the vehicle owner by
2353 any method approved by the Department; or
 - 2354 3. taking possession of the vehicle's registration & tags.
- 2355 (b) A motor vehicle is subject to immobilization for (30) days if it is driven on a highway in
2356 this state by a driver:
- 2357 1. whose driver's license is suspended or revoked pursuant to a conviction under
2358 section 6-207, section 11-902 or section 11-903;
 - 2359 2. who is driving in violation of the terms of a limited license imposed as a condition
2360 of reinstatement of a license suspended or revoked under section 6-207, section 11-
2361 902 or section 11-903.
- 2362 (c) A motor vehicle is subject to immobilization for (60) days if it is driven on a highway in
2363 this state by a driver:
- 2364 1. whose driver's license is suspended or revoked pursuant to a second conviction
2365 within the previous [five] years under section 6-207, section 11-902 or section 11-
2366 903; or
 - 2367 2. who is driving in violation of the terms of a limited license imposed as a condition
2368 of reinstatement of a license suspended or revoked for the second time within the
2369 previous [five] years under section 6-207, section 11-902 or section 11-903;
- 2370 (d) Notwithstanding subsections (b) and (c), with the written consent of the registered
2371 owner(s) a vehicle immobilized pursuant to subsection (b) or (c) may be released with
2372 an installed compulsory ignition interlock system meeting the requirements of section
2373 (2), for the period of time specified for vehicle immobilization, to any person who :
- 2374 (1) demonstrates that he or she:
 - 2375 (i) currently resides in the household of the registered owner(s) of such vehicle
2376 and resided in that household at the time of immobilization; and
 - 2377 (ii) that the vehicle is the only vehicle available to that person's household which
2378 may be operated with a private passenger vehicle license;
 - 2379 (2) submits proof that he or she is properly licensed and that the immobilized vehicle is
2380 properly registered; and
 - 2381 (3) submits proof of payment of the cost of installation and regulated monitoring of that
2382 vehicle interlock system for one year, and payment of any towing, storage or
2383 administrative charges resulting from the immobilization of that vehicle.
2384

2385 **§ 11-1602 Certification of ignition interlock systems**

- 2386 (a) The [Department of Motor Vehicles]⁸⁸ shall certify or cause to be certified vehicle
2387 ignition interlock devices required by this Article, publish a list of approved devices, and
2388 conduct or regulate the operation of a vehicle ignition interlock program, including
2389 imposing charges on the motorist for compulsory system installation and monitoring.
- 2390 (b) No model of vehicle ignition interlock device shall be certified unless it meets the
2391 accuracy requirements and specifications provided in the guidelines adopted by the
2392 National Highway Traffic Safety Administration.
- 2393 (c) The [Department of Motor Vehicles] shall utilize information from an independent
2394 laboratory to certify ignition interlock devices on or off the premises of the manufacturer
2395 or manufacturer's agent, in accordance with the guidelines. The cost of certification shall
2396 be borne by the manufacturers of interlock ignition devices. If the certification of a
2397 device is suspended or revoked, the manufacturer of the device shall be responsible for,
2398 and shall bear the cost of, the removal of the device and the replacement of a certified
2399 device of the manufacturer or another manufacturer.
- 2400 (d) All manufacturers of vehicle ignition interlock devices that meet the requirements of the
2401 National Highway Traffic Safety Administration and are certified in a manner approved
2402 by the [Department of Motor Vehicles], who intend to market the devices in this state,
2403 first shall apply to the [Department of Motor Vehicles] on forms provided by that
2404 department. The application shall be accompanied by a fee in an amount not to exceed
2405 the amount necessary to cover the costs incurred by the [Department of Motor Vehicles]
2406 in carrying out this section.
- 2407 (e) The [Department of Motor Vehicles] shall ensure that standard forms and procedures are
2408 developed for documenting decisions and compliance, and communicating results to
2409 relevant agencies and parties.
- 2410 (f) The [Department of Motor Vehicles] may delegate a private contractor to act as the
2411 agent of the state in carrying out any of the requirements of this section.
2412

2413 **§ 11-1603 Use of a Vehicle by an Unlicensed Driver: Owner's Duty**

2414 No owner of a motor vehicle may knowingly allow another person to drive the vehicle upon
2415 a highway unless the owner determines that the person possesses a valid driver's license that
2416 authorizes the person to operate the vehicle. For purposes of this section, an owner is required
2417 only to make a reasonable effort or inquiry to determine whether the prospective driver possesses
2418 a valid driver's license before allowing him or her to operate the owner's vehicle. An owner is not
2419 required to inquire of the department whether the prospective driver possesses a valid driver's
2420 license.
2421

2422 **§ 11-1604 Immobilization Exceptions and Safeguards**

- 2423 (a) If a driver is unable to produce a valid driver's license on the demand of a police officer
2424 enforcing the provisions of the Motor Vehicle Code, the vehicle may be immobilized for
2425 up to thirty days, regardless of ownership, unless the police officer is reasonably able, by
2426 other means, to verify that the driver is properly licensed. Prior to immobilizing a
2427 vehicle, a police officer shall attempt to verify the license status of a driver who claims
2428 to be properly licensed but is unable to produce the license on demand of the police

⁸⁸ States should substitute the appropriate agency throughout Section 11-1602 should the responsible agency in their state differ from the above.

- 2429 officer.
- 2430 (b) A police officer shall not immobilize a vehicle pursuant to this section if the license of
- 2431 the driver expired within the preceding 30 days and the driver otherwise would have
- 2432 been properly licensed.
- 2433 (c) A police officer may exercise discretion in a situation where the driver without a valid
- 2434 license is an employee in the course of employment driving a vehicle registered to the
- 2435 employer. A police officer also may exercise discretion in a situation where the driver
- 2436 without a valid license is the employee of a bona fide business establishment or is a
- 2437 person otherwise controlled by such an establishment and it reasonably appears that an
- 2438 owner of the vehicle, or an agent of the owner, relinquished possession of the vehicle to
- 2439 the business establishment solely for servicing or parking of the vehicle or other
- 2440 reasonably similar situations, and where the vehicle was not to be driven except as
- 2441 directly necessary to accomplish that business purpose. In that event, if the vehicle can
- 2442 be returned to or be retrieved by the business establishment or registered owner, the
- 2443 police officer may release and not immobilize the vehicle.
- 2444 (d) If the driver of a vehicle immobilized pursuant to subsection (a) was a registered owner
- 2445 of the vehicle at the time of impoundment, the impounding agency shall authorize
- 2446 release of the vehicle if, within three days of such immobilization, the driver of the
- 2447 vehicle at the time of immobilization presents his or her valid driver's license, including
- 2448 a valid temporary driver's license or permit, to the responsible agency. The vehicle shall
- 2449 then be released to a registered owner of record at the time of immobilization, or an
- 2450 agent of that owner authorized in writing, upon payment of towing and storage charges
- 2451 related to the immobilization, and any reasonable administrative charges, providing that
- 2452 the person claiming the vehicle is properly licensed and the vehicle is properly
- 2453 registered.
- 2454

2455 **§ 11-1605 Consumer Protection**

- 2456 (a) A vehicle immobilized pursuant to the circumstances described in subsection 11-604(c)
- 2457 shall be released to a registered owner whether or not the driver of the vehicle at the time
- 2458 of such immobilization presented a valid driver's license. No processing charges shall be
- 2459 imposed on such registered owner if he or she properly redeems the vehicle within 15
- 2460 days of its immobilization.
- 2461 (b) Any owner of a vehicle who suffers any loss due to vehicle immobilization may recover
- 2462 the amount of the loss from the culpable driver whose actions caused the
- 2463 immobilization. If possession of a vehicle has been tendered to a business establishment
- 2464 in good faith, and an unlicensed, suspended or revoked driver employed or otherwise
- 2465 directed by that business establishment committed the violation which caused the
- 2466 vehicle to be immobilized, a registered owner of the vehicle may recover damages for
- 2467 the loss of use of - the vehicle from the business establishment.
- 2468 (c) Within 10 days of a vehicle immobilization, a registered or legal owner of record at the
- 2469 time the vehicle was immobilized may request a hearing to determine the validity of that
- 2470 vehicle immobilization.
- 2471 (1) The responsible agency, if requested to do so not later than 10 days after the date
- 2472 the vehicle was immobilized, shall provide the opportunity for a hearing to
- 2473 determine the validity of the vehicle immobilization to the persons who were the
- 2474 registered or legal owners of the vehicle at the time of its immobilization.

- 2475 (2) The post immobilization hearing shall be conducted not later than two days after the
2476 date it was requested. The responsible agency may authorize its own officer or
2477 employee to conduct the hearing if the hearing officer is not the same person who
2478 directed the storage of the vehicle. Failure of either the registered or legal owner to
2479 request a hearing as provided in paragraph (1) or to attend a scheduled hearing shall
2480 satisfy the post immobilization hearing requirement.
- 2481 (3) The responsible agency employing the person who directed the vehicle
2482 immobilization is responsible for all costs incurred for any towing, storage or
2483 administrative charges if it is determined that the vehicle was improperly
2484 immobilized.
- 2485 (4) Towing and storage charges for any vehicle immobilized pursuant to this Act shall
2486 not exceed the normal towing and storage rates for other vehicle towing and storage
2487 conducted by the towing company or agency in the normal course of business.
- 2488 (5) The burden of proof in the hearing shall be on the immobilizing agency, by a
2489 preponderance of the evidence. All questions that may arise shall be decided and all
2490 other proceedings shall be conducted as in an ordinary civil action. A judgment
2491 upholding vehicle immobilization does not require as a condition precedent the
2492 conviction of a defendant for the offense which made the vehicle subject to
2493 immobilization.

2494
2495 **§ 11-1606 Disposition of Abandoned Vehicles**

2496 Any immobilized vehicle unclaimed under this act which is determined to be abandoned
2497 under the laws of this state may be disposed of at the discretion of the [Department of Motor
2498 Vehicles].

2499
2500 **§ 11-1607 Administration**

- 2501 (a) The [Department of Motor Vehicles] may prescribe standard forms and procedures for
2502 implementation of this Article to be used by jurisdictions throughout the state.
- 2503 (b) In computing any period of time prescribed or allowed by this Article, if the time period
2504 to be computed is 15 days or less, Saturdays, Sundays and holidays shall not be counted.
2505 If the time period to be computed is greater than 15 days, Saturdays, Sundays and
2506 holidays shall be counted.

2507
2508 **§ 11-1608 Notice of License suspension or revocation - OPTIONAL**

- 2509 (a) *It shall be conclusively presumed that a person has knowledge of the suspension or*
2510 *revocation if notice has been sent by certified mail by the department to the most recent*
2511 *address officially reported by the person pursuant to procedures established by the*
2512 *department, and the return receipt has been signed and returned to the department. It is*
2513 *the responsibility of every license holder to report changes of address to the department*
2514 *within [10 days] of the change of address.*
- 2515 (b)
- 2516 1. *In the event the certified mail is not delivered , the department shall attempt to*
2517 *provide personal service by using a process server for service of any person whose*
2518 *driving privilege was suspended or revoked.*
 - 2519 2. *At the time of license reinstatement, the department shall recover an amount equal*
2520 *to its total cost of providing notices pursuant to this subsection, in addition to any*

2521 *finer or fees otherwise authorized by law.*

2522 [Note: This section is listed as “11-608” in the 2000 UVC. However, it should be listed as “11-
2523 1608”. That technical correction has been shown.]