

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS**§ 70.01 DEFINITIONS.**

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BICYCLES; MOTORCYCLES.

(1) ***BICYCLE.*** Every device propelled by human power, upon which any person may ride, having two tandem wheels, either of which is over 20 inches in diameter.

(2) ***MOTORCYCLE.*** Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.
(1973 Code, § 7.3)

DISTRICTS.

(1) ***BUSINESS DISTRICT.*** The territory contiguous to and including a highway, when within any 600 feet along the highway there are buildings in use for business or industrial purposes; including, but not limited to, hotels, banks or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

(2) ***RESIDENCE DISTRICT.*** The territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.
(1973 Code, § 7.15)

INTERSECTION; CROSSWALK.**(1) *CROSSWALK.***

(a) The part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

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

(2) INTERSECTION.

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

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. In the event the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of the highways shall be regarded as a separate intersection.
(1973 Code, § 7.12)

OFFICIAL TIME STANDARD. Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in this town.
(1973 Code, § 7.7)

PERSON; DRIVER; PEDESTRIAN.

(1) **DRIVER.** Every person who drives or is in actual physical control of a vehicle.

(2) **PEDESTRIAN.** Any person afoot.

(3) **PERSON.** Every natural person, firm, co-partnership, association, or corporation.
(1973 Code, § 7.8)

POLICE.

(1) **POLICE OFFICER.** Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(2) **TRAFFIC DIVISION.** The **TRAFFIC DIVISION** of the Police Department of this town, or in the event a **TRAFFIC DIVISION** is not established, then the term whenever used herein shall be deemed to refer to the Police Department of this town.
(1973 Code, § 7.9)

RAILROADS; STREETCARS.

(1) **RAILROAD.** A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(2) **RAILROAD TRAIN.** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

(3) **STREETCAR.** A car, other than a railroad train, for transporting persons or property and operated upon rails principally within a municipality.
(1973 Code, § 7.4)

ROADWAY; HIGHWAY.

(1) **CONTROLLED ACCESS HIGHWAY.** Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at points only and in a manner as may be determined by the public authority having jurisdiction over the highway, street, or roadway.

(2) **LANED ROADWAY.** A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

(3) **THROUGH HIGHWAY.** Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this title.
(1973 Code, § 7.11)

STOPPING; PARKING.

(1) **PARK.** When prohibited, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

(2) **STOP.** When required, means complete cessation of movement.

(3) **STOP, STOPPING, or STANDING.** When prohibited, means any **STOPPING** or **STANDING** of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.
(1973 Code, § 7.6)

STREETS AND THE LIKE.

(1) **ALLEY.** A thoroughfare through the middle of a block.

(2) **PRIVATE ROAD OR DRIVEWAY.** Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(3) **ROADWAY.** The portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term **ROADWAY** as used herein shall refer to any **ROADWAY** separately but not to all **ROADWAYS** collectively.

(4) **SIDEWALK.** The portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(5) **STREET or HIGHWAY.** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(1973 Code, § 7.10)

TRAFFIC; RIGHT-OF-WAY.

(1) **RIGHT-OF-WAY.** The privilege of the immediate use of the roadway.

(2) **TRAFFIC.** Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any street for purposes of travel.

(1973 Code, § 7.5)

TRAFFIC-CONTROL.

(1) **OFFICIAL TRAFFIC-CONTROL DEVICES.** All signs, signals, markings, and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(2) **TRAFFIC-CONTROL SIGNAL.** Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(1973 Code, § 7.14)

VEHICLES.

(1) **AUTHORIZED EMERGENCY VEHICLE.** Vehicles of the Fire Department, police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

(2) **COMMERCIAL VEHICLE.** Every vehicle designed, maintained, or used primarily for the transportation of property.

(3) **MOTOR VEHICLE.** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(4) **VEHICLE.** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(1973 Code, § 7.2)

ZONES.

(1) **CURB LOADING ZONE.** A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) **FREIGHT CURB LOADING ZONE.** A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

(3) **PASSENGER CURB LOADING ZONE.** A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

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

(1973 Code, § 7.13)

TRAFFIC ADMINISTRATION**§ 70.15 POLICE ADMINISTRATION.**

There is hereby established in the Police Department a Traffic Division to be under the control of an officer of the police appointed by and directly responsible to the Chief of Police.

(1973 Code, § 7.16)

§ 70.16 DUTIES OF TRAFFIC DIVISION.

It shall be the duty of the Traffic Division, with the aid as may be rendered by other members of the Police Department, to enforce the street traffic regulations and all of the state vehicle laws applicable to street traffic, to make arrests for traffic violations, to investigate accidents and to cooperate with the Town Traffic Engineer and other officers in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the Division by this title.

(1973 Code, § 7.17)

§ 70.17 RECORDS OF TRAFFIC VIOLATIONS.

(A) The Police Department or the Traffic Division thereof shall keep a record of all violations of the traffic ordinances or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all the alleged offenses. The record shall be so maintained as to show all types of violations and the total of each. The record shall accumulate during at least a five-year period, and from that time on the record shall be maintained complete for at least the most recent five-year period.

(B) All forms for records of violations and notices of violations shall be serially numbered. For each month and year, a written record shall be kept available to the public showing the disposal of all the forms.

(C) All the records and reports shall be public records.
(1973 Code, § 7.18)

§ 70.18 TRAFFIC DIVISION TO INVESTIGATE ACCIDENTS.

It shall be the duty of the Traffic Division, assisted by other police officers of the Department, to investigate traffic accidents, and to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to the accidents.
(1973 Code, § 7.19)

§ 70.19 TRAFFIC ACCIDENT STUDIES.

Whenever the accidents at any particular location become numerous, the Traffic Division shall conduct studies of the accidents and determine remedial measures.
(1973 Code, § 7.20)

§ 70.20 TRAFFIC ACCIDENT REPORTS.

The Traffic Division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location.
(1973 Code, § 7.21)

§ 70.21 DRIVERS' FILES TO BE MAINTAINED.

(A) The Police Department or the Traffic Division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(B) The Division shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of those persons suspended or revoked.

(C) The records shall accumulate during at least a five-year period and, from that time on, the records shall be maintained complete for at least the most recent five-year period.
(1973 Code, § 7.22)

§ 70.22 TRAFFIC DIVISION TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT.

(A) The Traffic Division shall annually prepare a traffic report, which shall be filed with the Mayor.

(B) The report shall contain information on traffic matters as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

(2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police; and

(3) The plans and recommendations of the Division for future traffic safety activities.
(1973 Code, § 7.23)

§ 70.23 TRAFFIC DIVISION TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS.

The Traffic Division shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in funeral processions.
(1973 Code, § 7.24)

§ 70.24 EMERGENCY AND EXPERIMENTAL REGULATIONS.

The Chief of Police is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No temporary or experimental regulation shall remain in effect for more than 90 days.
(1973 Code, § 7.25)

ENFORCEMENT OF AND OBEDIENCE TO TRAFFIC REGULATIONS

§ 70.35 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.

(A) It shall be the duty of the officers of the Police Department, or the officers assigned by the Chief of Police, to enforce all street traffic laws and all of the state vehicle laws applicable to street traffic.

(B) Officers of the Police Department, or the officers assigned by the Chief of Police, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws. In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

(C) Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(1973 Code, § 7.26)

§ 70.36 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.

(1973 Code, § 7.27) Penalty, see § 70.99

§ 70.37 PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS.

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their very nature can have no application.

(1973 Code, § 7.28)

§ 70.38 USE OF COASTERS, ROLLER SKATES, AND SIMILAR DEVICES RESTRICTED.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway, except while crossing a street on a crosswalk. When so crossing, the person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance.

(1973 Code, § 7.29) Penalty, see § 70.99

§ 70.39 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS.

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this state, county, or town, and it shall be unlawful for any driver to violate any of the provisions of this title, except as otherwise permitted in this title or by state statute. (1973 Code, § 7.30)

§ 70.40 AUTHORIZED EMERGENCY VEHICLES.

(A) The driver of an authorized emergency vehicle; when responding to an emergency call, or when in the pursuit of an actual suspected violator of the law, or when responding to but not upon returning from a fire alarm; may exercise the privileges set forth in this section, but subject to the conditions herein stated.

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

- (1) Park or stand, irrespective of the provisions of this title;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the prima facie speed limits so long as he or she does not endanger life or property; and/or
- (4) Disregard regulations governing direction of movement or turning in specified directions.

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

(D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall the provisions protect the driver from the consequences of his or her reckless disregard for the safety of others. (1973 Code, § 7.31)

§ 70.41 OPERATION OF VEHICLES AND STREETCARS ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

(A) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle, other than a police vehicle when operated as an authorized emergency vehicle, and when the driver is giving audible signal by siren, exhaust whistle, or bell:

(1) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when the otherwise directed by a police officer; and

(2) Upon the approach of an authorized emergency vehicle as above stated, the motorperson of every streetcar shall immediately stop the car clear of any intersection and keep it in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(B) This section shall not operate to 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.
(1973 Code, § 7.32) Penalty, see § 70.99

REGISTRATION AND LICENSE TAX

§ 70.55 REGISTRATION OF RESIDENT MOTOR VEHICLES AND PAYMENT OF LICENSE TAX.

(A) All motor vehicles that display current license plates and reside within the town for more than a total of 14 days in any calendar year shall be registered with the town in accordance with this title, and the owner thereof shall pay to the town a tax of \$1 for each vehicle so registered.

(B) Upon registration of a vehicle in accordance with division (A) above, the town shall issue to the person registering the same an appropriately numbered plate, sticker, or other identifying device. Upon satisfactory evidence that the device has been lost or destroyed, and payment of a fee of \$0.50, the town shall issue to the person who registered the vehicle a duplicate thereof.
(Ord. passed 4-6-1982) Penalty, see § 70.99

§ 70.56 REGISTRATION DEADLINE AND PERIOD OF REGISTRATION.

(A) Registration under this title shall be valid for the 12-month period running from January 1 to December 31.

(B) Registration shall be completed not later than February 15 of each year, or 16 days after the motor vehicle has resided in the town for 14 days, whichever is sooner.

(Ord. passed 4-6-1982) Penalty, see § 70.99

§ 70.57 OPERATION OF A MOTOR VEHICLE WITHOUT REGISTRATION PLATE UNLAWFUL.

No person may operate or maintain within the town any motor vehicle required by § 70.55 to be registered with the town unless the motor vehicle displays the registration plate, sticker, or other identifying device issued in accordance with § 70.55(B).

(Ord. passed 4-6-1982) Penalty, see § 70.99

§ 70.99 PENALTY.

(A) If any person shall violate an ordinance regulating the operation or parking of vehicles, he or she shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50. (G.S. § 14-4(b))

(B) (1) It shall be the duty of the Police Department of the Town of Bailey to enforce the provisions of this title and, if any vehicle has parked contrary to the restrictions set forth in § 73.15, then the police officer shall issue a parking ticket charging the operator or owner of the vehicle with a fine of \$10 for a violation of § 73.15(A), (B), or (C), and a fine of \$5 for any other violations of § 73.15. If the fine is not paid on or before the expiration of 96 hours from the time of its issue, the penalty for the violation shall be increased to \$40 for a violation of § 73.15(A), (B), or (C) and to \$20 for any other violation of § 73.15.

(2) The penalty for the parking violation shall be paid within the Town Hall during regular business hours.

(Am. Ord. passed 10-1-1996)

(C) A violation of Chapter 77, Schedule I, division (D), Main Street restriction, shall be punishable by Section 7.120, constituting a misdemeanor punishable by a \$5 fine.

(Am. Ord. passed 6-4-1985)

CHAPTER 71: TRAFFIC-CONTROL DEVICES

Section

- 71.01 Authority to install traffic-control devices
- 71.02 Specifications for traffic-control devices
- 71.03 Obedience to official traffic-control devices
- 71.04 When traffic-control devices required for enforcement purposes
- 71.05 Traffic-control signal legend
- 71.06 Pedestrian-control signals
- 71.07 Flashing signals
- 71.08 Display of unauthorized signs, signals, or markings
- 71.09 Interference with official traffic-control devices or railroad signs or signals
- 71.10 Authority to establish play streets
- 71.11 Traffic lanes

Cross-reference:

General Traffic Regulations, see Chapter 72

§ 71.01 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES.

The town shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances to make effective the provisions of the ordinances, and may place and maintain additional traffic-control devices to regulate traffic under the traffic ordinances of this town or under state law, or to guide or warn traffic.

(1973 Code, § 7.33)

§ 71.02 SPECIFICATIONS FOR TRAFFIC-CONTROL DEVICES.

(A) All traffic-control signs, signals, and devices shall conform to state regulations.

(B) All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location.

(C) All traffic-control devices so erected and not inconsistent with the provisions of state law or this title shall be official traffic-control devices.

(1973 Code, § 7.34)

§ 71.03 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES.

The driver of any vehicle and the motorperson of any streetcar shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title.

(1973 Code, § 7.35) Penalty, see § 70.99

§ 71.04 WHEN TRAFFIC-CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES.

(A) No provision of this title for which signs are required shall be enforced against an alleged violator, if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(B) Whenever a particular section does not state that signs are required, that section shall be effective even though no signs are erected or in place.

(1973 Code, § 7.36)

§ 71.05 TRAFFIC-CONTROL SIGNAL LEGEND.

(A) Whenever traffic is controlled by traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and the terms and light shall indicate and apply to drivers of vehicles and pedestrians as follows.

(1) *Green alone or "Go."*

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

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

(2) *Yellow alone or "Caution" when shown following the green or "Go" signal.*

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

(b) No pedestrian facing the signal shall enter the roadway until the green or "Go" is shown alone, unless authorized to do so by a pedestrian "Walk" signal.

(3) *Red alone or "Stop."*

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(b) No pedestrian facing the signal shall enter the roadway until the green or "Go" is shown alone, unless authorized to do so by a pedestrian "Walk" signal.

(4) *Red with green arrow.*

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

(b) No pedestrian facing the signal shall enter the roadway until the green or "Go" is shown alone, unless authorized to do so by a pedestrian "Walk" signal.

(B) (1) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any sign or marking the stop shall be made at the signal.

(2) The motorperson of any streetcar shall obey the above signals as applicable to vehicles.
(1973 Code, § 7.37) Penalty, see § 70.99

§ 71.06 PEDESTRIAN-CONTROL SIGNALS.

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place, those signals shall indicate as follows.

(A) "Walk." Pedestrians facing the signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(B) "Wait" or "Don't Walk." No pedestrian shall start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his or her crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing.

(1973 Code, § 7.38) Penalty, see § 70.99

§ 71.07 FLASHING SIGNALS.

(A) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows.

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

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

(B) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in § 72.45.

(1973 Code, § 7.39) Penalty, see § 70.99

§ 71.08 DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS.

(A) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is in imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.

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

(C) Every prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

(1973 Code, § 7.40) Penalty, see § 70.99

§ 71.09 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

(1973 Code, § 7.41) Penalty, see § 70.99

§ 71.10 AUTHORITY TO ESTABLISH PLAY STREETS.

(A) The Board shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

(B) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon that street or portion thereof except drivers of vehicles having business or whose residences are within the closed area, and then the driver shall exercise the greatest care in driving upon that street or portion thereof.

(1973 Code, § 7.42) Penalty, see § 70.99

§ 71.11 TRAFFIC LANES.

Where traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep that vehicle within the boundaries of the lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(1973 Code, § 7.43) Penalty, see § 70.99

