

said Mining Lease or Contract, or by their heirs or assigns or by any one of said owners of record at the time of the taking effect of this act, the *Commissioner of Conservation of Minnesota* is hereby authorized and directed to issue and deliver to the owners of said Mining Lease or Contract, or their heirs or assigns, or to anyone of said owners, certificate or statement evidencing payment of all sums due on said Mining Lease or Contract, and to reinstate said Mining Lease or Contract in the proper records in his office, with the same force and effect as though no default had occurred; provided, however, that all payments due and unpaid on said Mining Lease or Contract if no default had occurred thereon with interest on said unpaid sums, shall be made on or before December 31, 1938.

Approved April 26, 1937.

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CHAPTER 464—S. F. No. 142

*An act regulating traffic on highways and defining certain crimes in the use and operation of vehicles, providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules, or regulations in regard to matters embraced within the provisions of this act and to make uniform the law relating to the subject-matter of this act, and repealing Laws 1925, Chapter 336, Section 8; Laws 1927, Chapter 412; Laws 1929, Chapters 158, 390 and 407; Laws 1931, Chapters 128 and 402; Laws 1933, Chapters 225 and 252; Laws 1935, Chapters 224 and 389; and all other acts and parts of acts inconsistent herewith to the extent of such inconsistency.*

Be it enacted by the Legislature of the State of Minnesota:

ARTICLE I

WORDS AND PHRASES DEFINED

Section 1. **Definitions.**—The following words and phrases when used in this act shall, for the purpose of this act, have the meanings respectively ascribed to them in this article.

(1) "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.

(2) "Motor vehicle." Every vehicle which is self-propelled and not deriving its power from overhead wires.

(3) "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.

(4) "Authorized emergency vehicle." Vehicles of the fire department, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the commissioner or the chief of police of an incorporated city, and equipped and identified according to law.

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

(6) "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.

(7) "Farm tractor." Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

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

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

(10) "Semi-trailer." Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

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

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

(13) "Metal tire." Every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

(14) "Railroad." A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

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

(16) "Street car." A car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

(17) "Trackless trolley car." Every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails.

(18) "Explosives." Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

(19) "Flammable liquid." Any liquid which has a flash point of 70 degrees F., or less, as determined by a tagliabue or equivalent closed cup test device.

(20) "Commissioner." The commissioner of highways of this state, acting directly or thru his duly authorized officers and agents.

(21) "Department." The department of highways of this state, acting directly or thru its duly authorized officers and agents.

(22) "Person." Every natural person, firm, copartnership, association, or corporation.

(23) "Pedestrian." Any person afoot.

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

(25) "Owner." A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or

lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner of the purpose of this act.

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

(27) "Local authorities." Every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state.

(28) "Street or highway." The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

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

(30) "Roadway." That portion of a highway improved, designed, or ordinarily used for vehicular travel.

(31) "One-way roadway." A street or roadway designated and sign-posted for one-way traffic and on which all vehicles are required to move in one indicated direction.

(32) "Sidewalk." That 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.

(33) "Laned highway." A highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic.

(34) "Thru highway." Every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act.

(35) "Intersection." 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 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.

(36) "Crosswalk." (a) That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections.

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

(37) "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 set apart as a safety zone.

(38) "Business district." The territory contiguous to and including a highway when 50 per cent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

(39) "Residence district." The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

(40) "Official traffic control devices." All signs, signals, markings, and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

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

(42) "Railroad sign or signal." Any sign, signal, or device erected by authority of a public body or official or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

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

(44) "Right-of-way." The privilege of the immediate use of highway.

(45) "Gross weight." The unloaded weight of a vehicle and/or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load.

## ARTICLE II

### OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

Sec. 2. **Obedience to and effect of traffic laws.**—The provisions of this act 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 Articles IV and V shall apply upon highways and elsewhere thruout the state.

**Sec. 3. Violations a misdemeanor.**—It is unlawful and, unless otherwise declared in this act with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this act.

**Sec. 4. Must not refuse to obey order.**—No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic.

**Sec. 5. Application of act.**—(a) The provisions of this act applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in this act with reference to authorized emergency vehicles.

(b) The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past such red or stop sign or signal after sounding siren and displaying red lights.

(c) No driver of any authorized emergency vehicle shall assume any special privilege under this act except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

(d) The provisions of this act shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the roadway of a highway but shall apply to such persons and vehicles when traveling to or from such work.

(e) Street cars and trackless trolley cars, except where otherwise specifically provided, shall be governed by the same rules and regulations as provided in this act for vehicles and motor vehicles, only in so far as such regulations apply to speed, stopping at through streets and railroad tracks, and obeying signals of semaphores and rights-of-way, and shall be entitled to the same rights and benefits of this act, as to warning, turning and stopping signals and rights-of-way, as any vehicle or motor vehicle in the streets and highways of this state.

**Sec. 6. Bicycles and horse drawn vehicles to come under act.**—Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this act applicable to the driver of a vehicle, except those provisions of this act which by their nature can have no application.

**Sec. 7. Uniform in application.**—The provisions of this act shall be applicable and uniform thruout this state and in all political subdivisions and municipalities therein and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this act unless expressly authorized herein. Local authorities may, however, adopt traffic regulations which are not in conflict with the provisions of this act.

**Sec. 8. Not to restrict local authorities.**—(a) The provisions of this act shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and with the consent of the commissioner with respect to state trunk highways, within the corporate limits of a municipality and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles;
2. Regulating traffic by means of police officers or traffic control signals;
3. Regulating or prohibiting processions or assemblages on the highways;
4. Designating particular highways as one-way roadways and requiring that all vehicles thereon be moved in one specific direction;
5. Designating any highway as a thru highway and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to such intersections;
6. Restricting the use of highways as authorized in Article XVI of this act.

(b) No ordinance or regulation enacted under subdivisions 4, 5, or 6 of this section shall be effective until signs giving notice of such local traffic regulations are posted upon and kept posted upon or at the entrance to the highway or part thereof affected as may be most appropriate.

**Sec. 9. Not to apply to private roadways.**—Nothing in this act shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as matter of right from prohibiting such use, or from

requiring other or different or additional conditions than those specified in this act, or otherwise regulating such use as may seem best to such owner.

### ARTICLE III

#### TRAFFIC SIGNS, SIGNALS, AND MARKINGS.

Sec. 10. **Traffic signs, signals, and markings.**—The commissioner shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this act for use upon highways within this state. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State Highway Officials.

Sec. 11. **Commissioner to place and maintain traffic control devices on trunk highways.**—(a) The commissioner shall place and maintain such traffic-control devices, conforming to the manual and specifications, upon all state trunk highways as he shall deem necessary to indicate and to carry out the provisions of this act or to regulate, warn, or guide traffic.

(b) No other authority shall place or maintain any traffic-control device upon any highway under the jurisdiction of the commissioner except by the latter's permission.

Sec. 12. **Local authorities shall place and maintain traffic control devices in municipalities.**—Local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this act or local traffic ordinances or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the state manual and specifications.

Sec. 13. **All persons to observe traffic control device.**—No driver of a vehicle or motorman of a street car or pedestrian or person riding an animal or bicycle shall disobey the instructions of any official traffic-control device placed in accordance with the provisions of this act, unless at the time otherwise directed by a police officer.

Sec. 14. **Colors for devices.**—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 the following colors only shall be used and said terms and lights shall indicate as follows:

(a) Green alone or "Go"

1. Vehicular traffic facing the signal may proceed straight thru or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

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

1. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but vehicles within the intersection may be driven cautiously thru the intersection.

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

(c) Red alone or "Stop"

1. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall remain standing until green or "Go" is shown alone.

2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(d) Red with green arrow.

1. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk.

2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(e) The motorman of any street car shall obey the above signals as applicable to vehicles.

**Sec. 15. Flashing signs.**—Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

1. Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line

when marked 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 thru the intersection or past such signal only with caution.

Sec. 16. **Placing of unauthorized signs prohibited.**—(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 an 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, and 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. This 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.

(b) Every such 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.

Sec. 17. **Unlawful to alter, deface, or remove signs.**—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.

## ARTICLE IV

### ACCIDENTS

Sec. 18. **Accidents.**—(a) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled all requirements of this Act as to the giving of information. Every such stop shall be made without obstructing traffic more than necessary.

(b) Any person failing to stop or to comply with said requirements under such circumstances shall upon conviction be punished by imprisonment for not less than ten days nor more than 90 days or by fine of not less than \$10.00 nor more than \$100.00.

(c) The commissioner shall revoke the driver's license of the person so convicted.

**Sec. 19. Driver to report accident.**—The driver of any vehicle involved in an accident to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of this Act as to the giving of information. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor.

**Sec. 20. Shall give names and addresses.**—The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle he is driving and shall upon request and if available exhibit his driver's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

**Sec. 21. Shall report collision with unattended vehicle.**—The driver of any vehicle which collides with and damages any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the driver or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall report the same to a police officer.

**Sec. 22. Shall notify owner of property damage.**—The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his driver's or chauffeur's license and shall make report of such accident when and as required by the provisions of this Act.

**Sec. 23. Shall make report of accident to highway department.**—The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$50.00 or more shall, within 24 hours or as soon

thereafter as physically able after such accident, forward a written report of such accident to the department which written report shall contain the names and addresses of the persons involved in the accident, license numbers of the cars involved, the time and place of the accident.

**Sec. 24. Department to tabulate and analyze reports.**—The department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based thereon as to the number and circumstances of traffic accidents.

## ARTICLE V

### CRIMINAL NEGLIGENCE, DRIVING WHILE INTOXICATED, AND RECKLESS DRIVING

**Sec. 25. Criminal negligence defined.**—(a) Any person who by operating or driving a vehicle of any kind in a reckless or grossly negligent manner causes a human being to be killed, under circumstances not constituting murder in the first, second or third degree or manslaughter in the first or second degree, is guilty of criminal negligence in the operation of a vehicle resulting in death.

(b) A person convicted of the crime defined by subsection (a) hereof, shall be punished by imprisonment in the State Penal Institutions for a term not exceeding five years, or in the workhouse or county jail for not more than one year, or by a fine of not more than \$1,000.00, or by both a fine and imprisonment in the State Penal Institutions or a fine and imprisonment in the workhouse or county jail.

(c) The commissioner shall revoke the driver's license and the secretary of state shall revoke the chauffeur's license of any person convicted of the crime of criminal negligence in the operation of a vehicle resulting in the death of a human being.

**Sec. 26. Persons under influence of drugs or liquor prohibited from driving vehicle.**—(a) It is unlawful and punishable as provided in subdivision (b) of this section for any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor or narcotic drugs to drive any vehicle within this state.

(b) Every person who is convicted of a violation of this section shall be punished by imprisonment for not less than ten days nor more than 90 days, or by fine of not less than \$10.00, nor more than \$100.00. On a second or subsequent conviction he shall be punished by imprisonment for not less than 30 days nor more than

90 days, or a fine of not less than \$25.00 nor more than \$100.00. The commissioner shall revoke the driver's license of any person convicted under this section.

Sec. 27. **What is reckless driving—penalty.**—(a) Any person who drives any vehicle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

(b) Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not less than ten days nor more than 90 days, or by a fine of not less than \$10.00 nor more than \$100.00, and on a second or subsequent conviction shall be punished by imprisonment for not less than 30 days nor more than 90 days, or by a fine of not less than \$25.00 nor more than \$100.00.

#### ARTICLE VI SPEED RESTRICTIONS

Sec. 28. **Speed restrictions.**—(a) No person shall drive a vehicle on a street or highway at a speed greater than is reasonable and prudent under the conditions then existing.

(b) The commissioner is authorized and empowered to determine and establish on any street or highway, or any portion thereof, limited speed zones, which speed limits shall constitute the maximum speed at which any person may drive or operate any vehicle upon such zoned street or highway or portion thereof so zoned and on which the maximum speed permissible in said zone has been conspicuously posted by signs adopted as provided in Article III of this act; provided that the maximum speed on streets not otherwise zoned in municipalities shall be 30 miles per hour. Any speed in excess of the maximum speed posted as herein provided shall be prima facie evidence that the speed is not reasonable nor prudent and that it is unlawful.

(c) Such zones are limited to and may consist only of a zone in which the maximum permissible speed is 20 miles per hour, a zone in which the maximum permissible speed is 30 miles per hour, a zone in which the maximum permissible speed is 45 miles per hour, or a zone in which the maximum permissible speed is 60 miles per hour; provided that during the hours when lights on vehicles are required under this act that the maximum speed shall be 50 miles per hour in the 60 mile zone.

(d) The beginning and end of each such limited speed zones shall be indicated by signs adopted as provided in this act.

(e) The commissioner shall determine and establish such limited speed zones on streets or highways, which are not state trunk highways, only upon request of and after the local authority having charge of the maintenance thereof shall have declared intention to post and to indicate the limits thereof in accordance with this act.

(f) The commissioner may change the speed limit or the extent of any such limited speed zone at any time as he may deem necessary.

(g) Where no special hazard exists on any section of street or highway outside of a municipality which section is not zoned and posted as hereinbefore provided, the following speeds shall be lawful, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

1. Thirty miles per hour in any business or residence district outside of a municipality.

2. Forty-five miles per hour under other conditions.

(h) The fact that the speed of a vehicle is lower than the foregoing prima facie limits or the limit of any limited speed zone shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and crossing a railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather, visibility, or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

**Sec. 29. Shall not impede traffic.**—No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be a misdemeanor.

**Sec. 30. Speed on bridges.**—(a) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed

which can be maintained with safety to such bridge or structure, when such structure is signed posted as provided in this section.

(b) The commissioner upon request from any local authority shall, or upon his own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if he shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act, the commissioner shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure.

(c) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by said commissioner and the existence of said signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

Sec. 31. **Exceptions.**—The speed limitations set forth in this article shall not apply to authorized emergency vehicles when responding to emergency calls providing the drivers thereof sound audible signal by siren, and two lighted red lights are displayed to the front. This provision 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 street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

## ARTICLE VII

### DRIVING ON RIGHT SIDE OF ROADWAY— OVERTAKING AND PASSING, ETC.

Sec. 32. **Driving.**—Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
2. When the right half of a roadway is closed to traffic while under construction or repair;
3. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
4. Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway.

Sec. 33. **Shall pass on right side.**—Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Sec. 34. **Rules for passing.**—The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible warning and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Sec. 35. **Same.**—(a) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

(b) The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of sufficient width for four or more lines of moving traffic when such movement can be made in safety.

Sec. 36. **Same.**—(a) 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 on-coming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

(b) Except on a one-way roadway, no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed;

2. When approaching within 100 feet of any bridge, viaduct, or tunnel or when approaching within 100 feet of or traversing any intersection or railroad grade crossing;

3. Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked, which distinctive line also so directs traffic as declared in the sign manual adopted by the commissioner.

**Sec. 37. One way highways.**—(a) Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway, a vehicle shall be driven only in the direction designated.

(b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

**Sec. 38. Three way road-ways.**—Whenever any roadway has been divided into three or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:

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

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

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

**Sec. 39. Distance between vehicles.**—(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the conditions of the highway.

(b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor truck, when traveling upon a roadway outside of a business or residence district shall not follow within 150

feet of another vehicle. The provisions of this subdivision shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

## ARTICLE VIII

### TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING

Sec. 40. **Signals.**—The driver of a vehicle intending to turn at an intersection shall do so as follows:

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

(b) Approach for a left turn on other than one-way roadways shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way roadway into a two-way roadway shall be made by passing to the right of the center line of the roadway being entered upon leaving the intersection.

(d) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

Sec. 41. **Turning on highways.**—No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

Sec. 42. **Starting parked car.**—No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

Sec. 43. **Turning on highways.**—(a) No person shall turn a vehicle from a direct course upon a highway unless and until such

movement can be made with reasonable safety and then only after giving a clearly audible warning by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

(b) A signal of intention to turn left shall be given continuously during not less than the last 75 feet traveled by the vehicle before turning.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear unless there is a good and sufficient reason for not being able to do so.

Sec. 44. **Methods of signalling.**—The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the commissioner, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible in normal sunlight and at night both to the front and rear of such vehicle then said signals must be given by such a lamp or device.

Sec. 45. **Hand signals.**—Whenever the signal is given by means of the hand and arm the driver shall indicate his intention to start, stop, or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

## ARTICLE IX RIGHT-OF-WAY

Sec. 46. **Right of way.**—(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.

(b) When two vehicles 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.

(c) The foregoing rules are modified at thru highways and otherwise as hereinafter stated in this article.

(d) The driver of any vehicle or street car traveling at an unlawful speed shall forfeit any right-of-way which he might otherwise have hereunder.

Sec. 47. **Right-of-way at intersections.**—The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to consti-

tute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this act, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

**Sec. 48. Thru highways.**—(a) The driver of a vehicle shall stop as required by this act at the entrance to a thru highway and shall yield the right-of-way to other vehicles which have entered the intersection from said thru highway or which are approaching so closely on said thru highway as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said thru highway shall yield the right-of-way to the vehicles so proceeding into or across the thru highway.

(b) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto altho not a part of a thru highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

**Sec. 49. Driver entering highway shall yield right-of-way.**—The driver of a vehicle entering or crossing a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

**Sec. 50. Emergency vehicle to have right-of-way.**—(a) Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, 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 highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

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

(c) 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 highways.

**Sec. 51. Funeral processions to have right-of-way.**—Whenever any funeral procession identifies itself by using regular lights

on all cars and by keeping all cars in close formation, the driver of every other vehicle, except an emergency vehicle, shall yield the right-of-way.

## ARTICLE X

### PEDESTRIANS' RIGHTS AND DUTIES

Sec. 52. **Pedestrians right and duties.**—Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this act, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article.

Sec. 53. **Pedestrians to have right-of-way in certain cases.**—

(a) Where traffic-control signals are not in place or in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this article.

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

Sec. 54. **Pedestrians not crossing at cross walks to yield right-of-way.**—(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(d) Notwithstanding the provisions of this section every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

Sec. 55. **To cross on right half of cross walks.**—Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

Sec. 56. **Not to solicit rides.**—No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

Sec. 57. **Must walk on left side of roadway.**—Pedestrians when walking along a roadway shall walk near the left side of the roadway, giving way to oncoming traffic.

## ARTICLE XI

### STREET CARS AND SAFETY ZONES

Sec. 58. **Passing street cars.**—(a) The driver of a vehicle shall not overtake and pass upon the left nor drive upon the left side of any street car proceeding in the same direction, whether such street car 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 street car 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 act.

Sec. 59. **Shall stop ten feet from street cars.**—The driver of a vehicle overtaking upon the right any street car stopped or about to stop for the purpose of receiving or discharging any passenger shall stop such vehicle at least ten feet to the rear of the nearest running board or door of such street car 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 street car 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. Provided the pedestrian going to and from a street car shall have the right-of-way over all vehicles and motor vehicles.

Sec. 60. **Shall not drive through safety zones.**—No vehicle shall at any time be driven thru a safety zone.

ARTICLE XII  
SPECIAL STOPS REQUIRED

Sec. 61. **Special stops.**—(a) Whenever any person driving a vehicle approaches a railroad grade crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop not less than ten feet from the nearest track of such railroad and shall not proceed until he can do so safely.

(b) The driver of a vehicle shall stop and remain standing and not traverse such a grade crossing when a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train.

Sec. 62. **Railroad and warehouse commission to mark dangerous crossings.**—The railroad and warehouse commission is hereby authorized to designate particularly dangerous highway grade crossings of railroads and to order stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within 50 feet but not less than ten feet from the nearest track of such grade crossing and shall proceed only upon exercising due care.

Sec. 63. **Drivers of certain vehicles must stop.**—(a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle not less than ten feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely.

(b) No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

(c) This section shall not apply at street railway grade crossings within a business or residence district.

Sec. 64. **Crossing railroad tracks with certain equipment.**—(a) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

(b) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not

less than ten feet nor more than 50 feet from the nearest rail of such railway 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.

(c) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flag-man or otherwise of the immediate approach of a railroad train or car.

**Sec. 65. May designate thru highways.**—(a) The commissioner with reference to state trunk highways, and local authorities with reference to other highways under their jurisdiction may designate thru highways and erect stop signs at specified entrances thereto or may designate any intersection as a stop intersection and may erect like signs at one or more entrances to such intersection; provided, that local authorities, with the consent of the commissioner, may designate thru highways and/or stop intersections on state trunk highways.

(b) Every driver of a vehicle and every motorman of a street car shall stop at such sign or at a clearly marked stop line before entering an intersection except when directed to proceed by a police officer or traffic-control signal.

**Sec. 66. Shall stop before reaching side-walks.**—The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway.

### ARTICLE XIII

#### STOPPING, STANDING, AND PARKING

**Sec. 67. Stopping, standing and parking.**—(a) Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of 200 feet in each direction upon such highway.

(b) This section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

Sec. 68. **Police officials may move cars.**—(a) Whenever any police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions of this article such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

(b) Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle and remove the same to the nearest convenient garage or other place of safety.

Sec. 69. **Where stops are prohibited.**—(a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within 10 feet of a fire hydrant;
5. On a crosswalk;
6. Within 20 feet of a crosswalk at an intersection;
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
9. Within 50 feet of the nearest rail or a railroad crossing;
10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign-posted;
11. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance;

14. At any place where official signs prohibit stopping.

(b) No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

(c) No person shall, for camping purposes, leave or park a house trailer on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site.

Sec. 70. **Parking on streets.**—Except where angle parking is permitted by local ordinance every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or marked with the right-hand wheels of such vehicle parallel with and within 12 inches of the right-hand curb, provided that such exception shall only apply to a state trunk highway after approval by the commissioner.

#### ARTICLE XIV

#### MISCELLANEOUS RULES

Sec. 71. **Brakes must be set.**—No person driving or in charge of a motor vehicle shall permit it to stand unattended without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

Sec. 72. **Restrictions on loads.**—(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle or street car shall ride in such position as to interfere with the driver's or motorman's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle or street car.

Sec. 73. **To drive on right side of highways.**—The driver of a motor vehicle traveling thru defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right-hand edge of the highway as reasonably possible and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway, shall give audible warning with the horn of such motor vehicle.

Sec. 74. **Coasting.**—(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

(b) The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

**Sec. 75. Following fire apparatus.**—The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

**Sec. 76. Must not cross fire hose.**—No street car or vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, or street car track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

**Sec. 77. Refuse on highway.**—(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such highway.

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

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

**Sec. 78. Not to carry gates or partitions on exterior of truck.**—No truck shall be operated on any highway with gate, loading rack, or partition carried in any manner on any part of the exterior of the truck.

**Sec. 79. Tail board or tail gate not to be left hanging.**—No truck shall be driven or parked on any highway with tail-gate or tail-board hanging down or projecting from the vehicle except while such vehicle is being loaded or unloaded, and except when a load thereon extends beyond the tail-gate or tail-board, rendering impossible the closing thereof.

**Sec. 80. Passing school busses.**—(a) The driver of a vehicle upon a highway outside of a business or residence district upon meeting or overtaking any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall drive at a speed which is reasonable and prudent and with due caution for the safety of any such children and in no event in excess of ten miles per hour in passing such school bus.

(b) This section shall be applicable only in the event the school bus shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than six inches

in height, which can be removed or covered when the vehicle is not in use as a school bus.

**Sec. 81. Commissioner to govern design and color of school busses.**—The commissioner shall adopt and enforce regulations not inconsistent with this act to govern the design, color and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state and such regulations shall by reference be made a part of any such contract with a school district. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to said regulations.

**Sec. 82. Shall not hitch behind motor vehicles.**—No person shall hitch a toboggan, hand sled, bicycle or other similar device onto any motor vehicle, street car or trackless trolley car while being used on a highway.

## ARTICLE XV

### EQUIPMENT

**Sec. 83. Certain vehicles forbidden on highway.**—(a) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this article; or which is equipped in any manner in violation of this article, or for any person to do any act forbidden or fail to perform any act required under this article.

(b) The provisions of this article with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as herein made applicable.

**Sec. 84. Vehicle lights.**—(a) Every vehicle upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise and at other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated.

(b) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said

provisions shall apply during the time stated in subdivision (a) of this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated and unless otherwise specified the location of lamps and devices shall refer to the centers of such lamps or devices.

Sec. 85. **Head-lights.**—(a) Every motor vehicle other than a motorcycle shall be equipped with two head lamps, no more, no less, one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this article.

(b) Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this article.

Sec. 86. **Rear-lights.**—(a) Every motor vehicle and every vehicle which is being drawn at the end of a train of vehicles shall be equipped with a lighted rear lamp, exhibiting a red light plainly visible from a distance of 500 feet to the rear. On and after January 1, 1938, no person shall sell or operate any new motor vehicle, trailer or semi-trailer unless the rear lamp thereon shall be mounted and located on the rear within 20 inches from extreme left edge and not less than 24 inches nor more than 60 inches from the surface upon which the vehicle stands unless the use or construction of the vehicle would make such location impracticable.

(b) Either such rear lamp or separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. When the rear license plate is illuminated by an electric lamp other than the required rear lamp, said two lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted.

(c) On and after January 1, 1938, every new motor vehicle, trailer, or semi-trailer hereafter sold and every such vehicle hereafter operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, a reflector. Every such reflector shall be of a type approved by the commissioner and shall be mounted as close as is practicable to the extreme left edge of the vehicle at a height not more than 60 inches nor less than 24 inches above the surface upon which the vehicle stands. Every such reflector shall be so designed and maintained as to be visible at night from all distances within 300 feet to 50 feet from such vehicle, except that on a commercial vehicle the reflector shall be visible from all distances within 500 feet to 50 feet from such vehicle, when directly in front of a motor vehicle displaying lawfully lighted head lamps.

Sec. 87. **Must be equipped within sixty days.**—Within 60 days after the effective date of this act every motor vehicle or motor drawn vehicle designed or used for the transportation of property, or for the transportation of passengers for compensation, shall display lighted lamps as required in this section.

1. Every such vehicle having a width including load thereon at any part in excess of 80 inches shall be equipped with four clearance lamps, two located on the front at opposite sides and not more than 6 inches from the extreme outer edge of the vehicle or load, displaying a white or amber light visible from a distance of 500 feet to the front of the vehicle and two located on the rear on opposite sides not more than 6 inches from the extreme outer edge of the vehicle or load, displaying a red light visible from a distance of 500 feet to the rear of the vehicle. The front clearance lamps shall be located at a height of not less than 24 inches above the head lamp centers. The rear clearance lamps shall be in addition to the red rear lamp hereinbefore required.

2. Every such vehicle or combination of such vehicles which exceeds 30 feet in overall length shall be equipped with at least four side marker lamps, one on each side near the front and one on each side near the rear. Such lamps shall be at a height of not less than 24 inches above the surface upon which the vehicle stands. Said lamps near the front shall display a white or amber light and lamps near the rear shall display a red light, each visible from a distance of 500 feet to the side of the vehicle on which it is located. If the clearance lamps on the right and left sides of the vehicle as hereinbefore required display lights visible from a distance of 500 feet at right angles to the right and left side respectively of the vehicle, they shall be deemed to meet the requirements as to marker lamps, provided an additional marker lamp, white or amber, is displayed approximately midway between the above specified marker lamps.

Sec. 88. **Lights and flags at end of load.**—Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times when lighted lamps on vehicles are required in this act, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The light or lantern required under this section shall be in addition to the rear light required upon every vehicle. At any time when no lights are required there shall be displayed at the extreme rear end of such load a red flag or cloth not less than 16 inches square.

Sec. 89. **Lights and flags for parked vehicles.**—Whenever a vehicle is parked or stopped upon a highway or shoulder adjacent thereto, whether attended or unattended during the times when lighted lamps on vehicles are required in this act, such vehicle shall

be equipped with one or more lamps located near the extreme outer edge of the vehicle which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of such vehicle and a red light visible from a distance of 500 feet to the rear, except that local authorities may provide by ordinance that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to clearly reveal any person or object within a distance of 500 feet upon such highway. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

**Sec. 90. Bicycles must have lights.**—Every bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear, except that a reflector meeting the minimum requirements of this act may be used in lieu of a rear light.

**Sec. 91. Horse drawn vehicles must have lights.**—All vehicles, including animal-drawn vehicles and including those specifically excepted in this article with respect to equipment and not hereinbefore specifically required to be equipped with lamps, shall at the times when lighted lamps on vehicles are required in this act be equipped with one or more lighted lamps or lanterns projecting a white light visible from a distance of 500 feet to the front and to the rear, mounted on the roadway side of the vehicle, except that reflectors meeting the maximum requirements of this act may be used in lieu of the lights required in this section.

**Sec. 92. May have spot lights.**—(a) Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed on the road surface to the left of the center of the vehicle nor more than 100 feet ahead of the vehicle upon which said lamps are mounted.

(b) Any motor vehicle may be equipped with not to exceed three auxiliary driving lamps mounted on the front at a height of not more than 42 inches nor less than 12 inches above the level surface upon which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this article.

**Sec. 93. Signal lights.**—(a) Any vehicle may be equipped, and when a signal lamp or device is required under this act, shall be equipped with a signal lamp or signal device which is so constructed and located on the vehicle as to give an adequate signal of intention to stop which shall be red or yellow in color and signals of intention

to turn to the right or left which shall be red or yellow in color, all of which signals shall be plainly visible and understandable in normal sunlight and at night from a distance of 100 feet to the front and rear but shall not project a glaring or dazzling light, except that a stop signal need be visible only from the rear.

(b) All mechanical signal devices shall be self-illuminated when in use at the times when lighted lamps on vehicles are required in this act.

Sec. 94. **Identification lights.**—Any vehicle or combination of vehicles may be equipped with identification lamps on the front displaying three amber or white lights and identification lamps on the rear displaying three red lights, and when so equipped the lights in each such group shall be evenly spaced not less than six nor more than 12 inches apart, along a horizontal line as near the top of the vehicle as practicable and said lights shall be visible from a distance of 500 feet to the front and rear respectively of the vehicle.

Sec. 95. **Fender lights.**—(a) Any vehicle may be equipped with not more than two side cowl or fender lamps, one on each side which shall emit a white light without glare.

(b) Any vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare.

(c) Any vehicle may be equipped with a back-up lamp either separately or in combination with another lamp, except that no such back-up lamp shall be continuously lighted when the vehicle is in forward motion, nor shall it project a glaring light.

Sec. 96. **Must be equipped with lights after January 1, 1938.**—On and after January 1, 1938, except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations, subject to the following requirements and limitations:

(a) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

(b) There shall be a lowermost distribution of light, or composite beam, so aimed that when the vehicle is fully loaded none of the high intensity portion of the beam shall project higher than a level which is five inches below the level of the center of the lamps from which it comes at a distance of 25 feet ahead.

(c) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least 100 feet ahead.

(d) All road lighting equipment manufactured and installed on and after January 1, 1938, shall be so arranged that whenever any beam is used which is not in conformity with paragraph (a) of this section, means shall be provided for indicating to the driver when such beams are being used.

**Sec. 97. Composite lights.**—(a) Whenever a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times when lighted lamps on vehicles are required in this act, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

(b) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high intensity portion of the beam be aimed higher than the level which is five inches below the level of the center of the lamp from which it comes at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 and more feet ahead, except that a beam which is aimed higher than these levels to the right of the prolongation of the extreme left side of the vehicle may be used for meeting other vehicles on relatively straight highways provided that no part of that portion of the beam which rises higher than these levels is projected to the left of the center of the highway except momentarily.

**Sec. 98. Certain lights prohibited after January 1, 1938.**—Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to January 1, 1938, in lieu of multiple-beam road lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

1. The head lamps shall be so aimed that when the vehicle is fully loaded none of the high intensity portion of the lamp beam rises above a horizontal plane passing thru the head lamp center's parallel to the level surface upon which the vehicle stands, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 and more feet ahead.

2. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

Sec. 99. **Number of lights.**—(a) At all times when lighted lamps on vehicles are required in this act, at least two lighted head lamps or two lighted auxiliary lamps shall be displayed one on each side at the front of every motor vehicle other than a motorcycle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps, spot lamps or any other lamps on the front thereof projecting a beam of an intensity greater than 300 candle power, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

(c) The maximum beam candle power from any combination of lamps used at any time for road lighting shall not exceed that authorized by the commissioner.

Sec. 100. **Certain lights prohibited.**—(a) Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps or auxiliary driving lamps which projects a beam of light of an intensity greater than 300 candle power shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(b) No vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this act unless otherwise authorized by the commissioner. This section shall not apply to authorized emergency vehicles or road machinery. Emergency vehicles shall be equipped with not less than two red lights to the front thereof which shall be lighted when on emergency trips but which shall not be lighted when using the highways at other times.

(c) Flashing lights are prohibited on vehicles, except as a means for indicating a turn or stop.

Sec. 101. **Commissioner to enforce provisions for lights.**—The commissioner is hereby authorized and required to adopt and enforce standard specifications as to the amount, color and direction of light to be emitted by lighting devices for compliance with the requirements and limitations of this act.

Sec. 102. **Commissioner must approve lighting apparatus.**—(a) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer or use upon any such vehicle any head lamp, auxiliary driving lamp, rear lamp, signal lamp, spot lamp, clearance lamp, marker

lamp or reflector, or parts of any of the foregoing, unless of a type which has been submitted to the commissioner and approved by him.

(b) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer any lamp or device mentioned in this section which has been approved by the commissioner unless such lamp or device bears thereon the trade-mark or name under which it is approved so as to be legible when installed.

(c) No person shall use upon any vehicle, trailer or semi-trailer any lamps mentioned in this section unless said lamps are equipped with bulbs of a type approved by the commissioner having a rated candle power and are mounted and adjusted as to focus and aim in accordance with instructions of the commissioner.

**Sec. 103. Same.**—1. The commissioner is hereby authorized to approve or disapprove lighting devices.

2. The commissioner is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this act, within a reasonable time after such device has been submitted.

3. The commissioner is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

4. The commissioner is authorized to set and collect a reasonable fee for the testing and approval of all types of devices upon which approval is required in this act. Such fee may be sufficient in amount to reimburse the department for all costs connected with such test and approval.

5. The commissioner upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by him.

6. The commissioner shall publish lists of all lamps and devices by name and type which have been approved by him, together with instructions as to the permissible candle power rating of the bulbs which he has determined for use therein and such other instructions as to adjustment as the commissioner may deem necessary.

**Sec. 104. Commissioner may hold hearings.**—When the commissioner has reason to believe that an approved device as being sold commercially does not comply with the requirements of this act, he may, after giving 30 days' previous notice to the person holding the certificate of approval for such device in this state, conduct a hearing upon the question of compliance of said approved device. After said hearing the commissioner shall determine whether said

approved device meets the requirements of this act. If said device does not meet the requirements of this act he shall give notice to the person holding the certificate of approval for such device in this state.

If at the expiration of 90 days after such notice the person holding the certificate of approval for such device has failed to satisfy the commissioner that said approved device as thereafter to be sold meets the requirements of this act, the commissioner shall suspend or revoke the approval issued therefor until or unless such device is resubmitted to and re-tested by an authorized testing agency and is found to meet the requirements of this act, and may require that all said devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this act. The commissioner may at the time of the re-test purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such re-test fails to meet the requirements of this act, the commissioner may refuse to renew the certificate of approval of such device.

Sec. 105. **Brakes.**—1. Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

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

3. Every trailer, semi-trailer or other vehicle of a gross weight of 1,500 pounds or more when drawn or pulled upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, excepting trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, and except disabled vehicles being towed to a place of repair.

4. Every new motor vehicle, trailer, or semi-trailer hereafter sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle and except that any semi-trailer of less than 1,000 pounds gross weight need not be equipped with brakes.

Sec. 106. **Same.**—1. The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle or vehicles when traveling 20 miles per hour within a distance of 30 feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one per cent.

2. Under the above conditions the hand brake shall be adequate to stop such vehicle or vehicles with a distance of 55 feet and said hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

3. Under the above conditions the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of 40 feet and the hand brake adequate to stop the vehicle within a distance of 55 feet.

4. All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this act.

5. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

Sec. 107. **Horns.**—(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this subdivision. It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. All authorized emergency vehicles shall be equipped with a siren capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the department, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.

Sec. 108. **Mufflers.**—Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, by-pass or similar device upon a motor vehicle on a highway.

Sec. 109. **Rear view mirrors.**—Every motor vehicle which is so constructed, loaded or connected with another vehicle as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Sec. 110. **Windshields.**—(a) No person shall drive any motor vehicle with a windshield cracked or discolored to an extent to limit or obscure proper vision or with any sign, poster or other nontransparent material upon the front windshield, sidewings, side or rear windows of such vehicle other than a certificate or other paper required to be so displayed by law.

(b) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Sec. 111. **Solid rubber tires.**—(a) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

(b) No person shall operate or move on any highway any motor vehicle, trailer, or semi-trailer having any metal tire in contact with the roadway, except in case of emergency.

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

(d) The commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this act.

Sec. 112. **Bumpers and reflectors.**—All motor vehicles, semi-trailers and trailers weighing more than 1,500 pounds shall be equipped with front and rear bumpers or with rear reflectors as herein provided. Such bumpers shall be securely attached to the frame thereof, and shall extend beyond the extreme front and rear points respectively of such vehicles. The center point of such bumpers shall be not more than 20 inches nor less than 14 inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground.

Sec. 113. **Safety glass required.**—(a) On and after six months from the adoption of this act no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter which is designed or used for the purpose of transporting passengers for compensation or as a school bus unless such vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields.

(b) On and after one year from the adoption of this act no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter unless such vehicle is equipped with safety glass wherever glass is used in doors, windows and windshields.

(c) The term "safety glass" shall mean any product composed of glass, or other material as may be approved by the commissioner, so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken.

(d) All glass replacements in doors, windows, windshields or partitions of motor vehicles on or after one year from the adoption of this act shall be made with materials meeting the requirements of this act for safety glass if glass is used therefor.

Sec. 114. **Certain vehicles to have at least three lights.**—

(a) No person shall operate any bus, motor truck or tractor upon a highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise unless there shall be carried in such vehicle a sufficient number of flares, not less than three, or electric lanterns or other signals capable of continuously producing three warning lights each visible from a distance of at least 500 feet for a period of at least eight hours, except that a motor vehicle transporting flammables may carry reflectors in place of the other signals above mentioned.

Every such flare, lantern, signal, or reflector shall be of a type approved by the commissioner and he shall publish lists of those devices which he has approved as adequate for the purposes of this section.

(b) Whenever any motor truck or tractor or bus is disabled during the period when lighted lamps must be displayed on vehicles and such motor truck cannot immediately be removed from the main traveled portion of a highway outside of a business district, the driver or other person in charge of such vehicle shall cause such flares, lanterns, or other signals to be lighted and placed as warning lights upon the highway, one at a distance of approximately 100 feet in advance of such vehicle, one at a distance of approximately 100 feet to the rear of the vehicle and the third upon the roadway side of the vehicle, except that if the vehicle is transporting flammables three reflectors may be so placed in lieu of such other signals and no open burning flare shall be placed adjacent to any such last mentioned vehicle.

(c) No person shall at any time operate a motor truck transporting explosives as a cargo or part of a cargo upon a highway unless it carries flares or electric lanterns as herein required, but such flares or electric lanterns must be capable of producing a light and shall be displayed upon the roadway when and as required in this section.

(d) No person shall operate any motor truck or tractor upon a highway outside of a business or residence district unless there shall be carried in such vehicle a sufficient number of yellow or orange colored flags, not less than three, of a size approximately 24 inches by 24 inches, which must be displayed at any time from a half hour before sunrise to a half hour after sunset under circumstances which would require the use of warning lights at night and in the manner and position governing the use of warning lights as prescribed herein.

Sec. 115. **Explosives.**—Any person operating any vehicle transporting any explosives as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section.

(a) Said vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than eight inches high.

(b) Every said vehicle shall be equipped with fire extinguishers of a type and number approved by the commissioner, filled and ready for immediate use and placed at a convenient point on the vehicle so used.

(c) The commissioner is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public.

Sec. 116. **Adjusting headlights.**—(a) The commissioner is hereby authorized and required to designate, furnish instructions to

and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of this act. When head lamps and auxiliary driving lamps have been adjusted in conformity with the instructions issued by the commissioner a certificate of adjustment shall be issued to the driver of the motor vehicle on forms issued in duplicate by the commissioner showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle and official designation of the adjusting station.

(b) The driver of any motor vehicle equipped with approved head lamps, auxiliary driving lamps, rear lamps or signal lamps, who is arrested upon a charge that such lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed 48 hours within which to bring such lamps into conformance with requirements of this act. It shall be a defense to any such charge that the person arrested produce in court or submit to the prosecuting attorney a certificate from an official adjusting station showing that within 48 hours after such arrest, such lamps have been made to conform with the requirements of this act.

**Sec. 117. Motor vehicle testing stations.**—Every municipality in the state, regardless of how organized, shall have the power to acquire, erect, establish, equip, operate and maintain motor vehicle testing stations for the purpose of testing and inspecting motor vehicles using the public streets of any such municipality, to finance and pay for the same out of the proceeds of the collection of fees charged for such inspection. Any municipality may pass and by proper penalties enforce ordinances for said purpose and by such ordinances:

(a) Require the attendance of such motor vehicles at such testing station for the purpose of inspection, at such time as shall be deemed reasonable after due notice thereof shall first have been given to the owner of such motor vehicle or his agent; provided that any owner of five or more commercial vehicles having testing equipment and facilities meeting the requirements of the municipality may be exempted from the requirements of attendance at such testing station;

(b) Require the payment of inspection fees, but such fees shall not exceed the amount of 50 cents for any one inspection or one dollar for any one year;

(c) Provide free inspections as often as the owner desires between compulsory inspection periods;

(d) Provide for the issuance of an inspection certificate and require the same to be displayed on the windshield of such motor vehicle in the lower right corner thereof, and in such manner as not to obstruct the driver's view;

(e) Prohibit the operation on the public streets of such municipality of any motor vehicle which shall not have been submitted for inspection within a reasonable time after notice of such required inspection shall have been given to the owner of such motor vehicle or his agent, or any motor vehicle which shall be found to be in a faulty or unsafe condition or in violation of any city ordinance or state law, and now having a proper inspection certificate properly displayed.

No inspection as herein provided shall be required of any owner of a vehicle who is not a resident of the municipality operating and maintaining said motor vehicle testing station.

In making any such inspection or tests, no additional or different mechanical requirements than those provided by state law shall be imposed upon or against a motor vehicle or the owner thereof, or his agent, in order to entitle such vehicle to an inspection certificate, but no such certificate shall be issued or attached to any vehicle until and unless such vehicle shall, upon such inspection, be found to comply with the terms of the state law.

**Sec. 118. Vehicles must be registered.**—No person shall operate or drive a motor vehicle on any highway unless such vehicle shall have been registered in accordance with the laws of this state and shall have the number plates for the current year only, as assigned to it by the registrar of motor vehicles, conspicuously displayed thereon in such manner that the view thereof shall not be obstructed. If the vehicle be a motorcycle, motorcycle side-car, trailer or semi-trailer, one such plate shall be displayed on the rear thereof, if it be any other kind of motor vehicle, one such plate shall be displayed on the front and one on the rear thereof; securely fastened so as to prevent the same from swinging. It shall be the duty of the person driving the motor vehicle to keep said plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering thereon shall be plainly visible at all times.

## ARTICLE XVI

### SIZE, WEIGHT, AND LOAD

**Sec. 119. Size, weight and load.**—(a) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this article or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this article.

(b) The provisions of this article governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as herein provided.

Sec. 120. **Width of vehicle.**—(a) The total outside width of any vehicle or the load thereon shall not exceed eight feet except as otherwise provided in this section.

(b) The total outside width of a farm tractor, trackless trolley car or passenger motor bus, operated exclusively in any city or village or contiguous cities or villages, in this state shall not exceed nine feet.

Sec. 121. **Load on passenger vehicles.**—No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.

Sec. 122. **Height of vehicle and load.**—(a) No vehicle unladen or with load shall exceed a height of 12 feet six inches.

(b) No vehicle shall exceed a length of 40 feet extreme overall dimensions, inclusive of front and rear bumpers, except that the governing body of any city or village is hereby authorized by ordinance to provide for the maximum length of any motor vehicle, or combination of motor vehicles, or the number of vehicles that may be fastened together, and which may be operated upon the streets or highways of said city, and provided, however, that such ordinance shall not prescribe a length less than that permitted by state law. Any such motor vehicle operated in compliance with such ordinance on the streets or highways of such city shall not be deemed to be in violation of this act. A truck tractor and semi-trailer shall be regarded as one vehicle for the purpose of determining lawful length.

(c) No combination of vehicles coupled together shall consist of more than two units and no such combination of vehicles shall exceed a total length of 40 feet subject to the following exceptions: Said length limitation shall not apply to vehicles when transporting poles, pipe, or other objects by a public utility when required for emergency repair of public service facilities or when operated under special permit as provided in this act, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(d) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such a bumper.

**Sec. 123. Loading of vehicles.**—No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway.

**Sec. 124. Weight of trailers.**—(a) The unladen weight of any trailer other than a house trailer shall not exceed 2,000 pounds nor shall the gross weight of any house trailer, or any other trailer, including the weight of the trailer and the load, exceed 6,000 pounds, except when operated under special permit as provided in this act.

(b) When one vehicle is towing another the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby and said drawbar or other connection shall not exceed 15 feet from one vehicle to the other except the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

(c) When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than 12 inches square.

(d) Every trailer or semi-trailer shall be hitched to the motor vehicle furnishing the tractive power for it by a device approved by the commissioner as safe and shall be equipped with a separate chain, cable or other device which shall be securely attached to the rear axle or frame of the traction vehicle and to said trailer or semi-trailer separate from and in addition to the regular hitch.

**Sec. 125. Limit of weight upon vehicles.**—The gross weight upon any wheel or axle of a vehicle shall not exceed the following:

1. When the vehicle is equipped with pneumatic tires and with axles spaced eight feet or more apart, 9,000 pounds on a wheel or 18,000 pounds on an axle.

2. No vehicle equipped with pneumatic tires and with axles spaced less than 8 feet apart and driven on any highway shall have a maximum wheel weight unladen or with load in excess of 6000 pounds, or an axle weight in excess of 12,000 pounds.

3. When a vehicle is equipped with solid rubber or cushion tires, 60 per cent of the weight permitted for wheels on vehicles equipped with pneumatic tires.

4. The provisions of this section shall not apply to vehicles operated exclusively in any city or village, or contiguous cities or villages in this state.

**Sec. 126. Limit of load over bridges.**—Subject to the limitations upon wheel and axle loads prescribed in this act, the gross weight of any vehicle or combination of vehicles driven onto or over a bridge on any highway shall not exceed the safe capacity of said bridge, as may be indicated by warning posted on said bridge.

**Sec. 127. Weighing vehicles.**—(a) Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within two miles.

(b) Whenever an officer upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this act. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.

(c) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

**Sec. 128. Special permits for moving vehicles.**—(a) The commissioner with respect to highways under his jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this act or otherwise not in conformity with the provisions of this act upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which said party is responsible.

(b) The application for any such permit shall specifically describe the vehicle or vehicles and load to be moved and the particular highways for which permit to so use is requested, and the time of the trip for which such permit is requested.

(c) The commissioner or local authority is authorized to issue or withhold such permit at his discretion; or, if such permit is issued, to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(d) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.

**Sec. 129. Restrictions on loads on certain seasons.—**(a) Local authorities with respect to highways under their jurisdiction may prohibit the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, whenever any said highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.

(b) The local authority enacting any such prohibition or restriction shall erect or cause to be erected and maintained signs plainly indicating the prohibition or restriction at each end of that portion of any highway affected thereby, and the prohibition or restriction shall not be effective unless and until such signs are erected and maintained.

(c) Municipalities with respect to highways under their jurisdiction may also, by ordinance, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

(d) The commissioner shall likewise have authority as hereinabove granted to local authorities to determine and to impose prohibitions or restrictions as to the weight of vehicles operated upon any highway under the jurisdiction of said commissioner, and such restrictions shall be effective when signs giving notice thereof are erected upon the highway or portion of any highway affected by such action.

**Sec. 130. Shall be liable for damages.—**(a) Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which said highway or structure may sustain as a result of any illegal operation,

driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving or moving any vehicle, object, or contrivance weighing in excess of the maximum weight in this act but authorized by a special permit issued as provided in this article.

(b) Whenever such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of said owner, then said owner and driver shall be jointly and severally liable for any such damage.

(c) Such damage may be recovered in a civil action brought by the authorities in control of such highway or highway structure.

## ARTICLE XVII

### PENALTIES

Sec. 131. **Penalties.**—(a) It is a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this state declared to be a gross misdemeanor or a felony.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this act for which another penalty is not provided, shall be punished by a fine of not more than \$100.00 or by imprisonment of not more than 90 days.

## ARTICLE XVIII

### PARTIES, PROCEDURE UPON ARREST; AND REPORTS IN CRIMINAL CASES

Sec. 132. **Who may be guilty of offenses.**—Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be a crime, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or wilfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this act is likewise guilty of such offense.

Sec. 133. **Owner liable.**—It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a highway in any manner contrary to law.

Sec. 134. **Procedure upon arrest.**—Whenever any person is arrested for any violation of this act punishable as a misdemeanor, the arrested person shall be immediately taken before a magistrate

within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, in any of the following cases:

1. When a person arrested demands an immediate appearance before a magistrate;

2. When a person is arrested and charged with an offense under this act causing or contributing to an accident resulting in injury or death to any person;

3. When the person is arrested upon a charge of negligent homicide;

4. When the person is arrested upon a charge of driving while under the influence of intoxicating liquor or narcotic drugs;

5. When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property;

6. In any other event when the person arrested refuses to give his written promise to appear in court as hereinafter provided.

Sec. 135. **Officer to make report.**—(a) Whenever a person is arrested for any violation of this act punishable as a misdemeanor, and such person is not immediately taken before a magistrate as hereinbefore required, the arresting officer shall prepare in duplicate written notice to appear in court containing the name and address of such person, his driver's license or chauffeur's license number, the license of his vehicle, if any, the offense charged, and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least five days after such arrest unless the person arrested shall demand an earlier hearing.

(c) The place specified in said notice to appear must be before a magistrate within the town if there be a magistrate within said town, otherwise within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense.

(d) The arrested person in order to secure release, as provided in this section, must give his written promise so to appear in court by signing in duplicate the written notice prepared by the arresting officer. The original of said notice shall be retained by said officers and the copy thereof delivered to the person arrested. Thereupon, said officer shall forthwith release the person arrested from custody.

**Sec. 136. Failure to appear a misdemeanor.**—(a) Any person wilfully violating his written promise to appear in court, given as provided in this article, is guilty of a misdemeanor provided he is found guilty of the charge upon which he was originally arrested.

(b) A written promise to appear in court may be complied with by an appearance by counsel.

**Sec. 137. Arrest without warrant.**—The foregoing provisions of this article shall govern all police officers in making arrests without a warrant for violations of this act for offenses committed in their presence, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for an offense of like grade.

**Sec. 138. Records not admissible as evidence.**—No record of the conviction of any person for any violation of this act shall be admissible as evidence in any court in any civil action.

**Sec. 139. Conviction not to affect credibility as a witness.**—The conviction of a person upon a charge of violating any provision of this act or other traffic regulation less than a felony shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding.

**Sec. 140. Records of violations.**—(a) Every magistrate or judge of a court not of record and every clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of this act or of any other law, or city or village ordinance, regulating the operation of vehicles on highways.

(b) Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this act or other law, or city or village ordinance, regulating the operation of vehicles on highways every said magistrate of the court or clerk of the court of record in which such conviction was had or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.

(c) Said abstract must be made upon a form furnished by the department and shall include the name and address of the party charged, the driver's license number or chauffeur's license number of the person involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited and the amount of the fine or forfeiture as the case may be.

(d) Every court of record shall also forward a like report to the department upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

(e) The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom.

## ARTICLE XIX

### EFFECT OF AND SHORT TITLE OF ACT

Sec. 141. **Effect and interpretation of law.**—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 142. **Highway traffic regulation act.**—This act may be cited as the Highway Traffic Regulation Act.

Sec. 143. **Provisions severable.**—If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act. The legislature hereby declares it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

Sec. 144. **Laws and inconsistent acts repealed.**—Laws 1925, Chapter 336, Section 8; Laws 1927, Chapter 412; Laws 1929, Chapters 158, 390 and 407; Laws 1931, Chapters 128 and 402; Laws 1933, Chapters 225 and 252; Laws 1935, Chapters 224 and 389, are hereby repealed; and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

Approved April 26, 1937.

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## CHAPTER 465—S. F. No. 622

*An act relating to the rate of interest on outstanding mortgages and contracts for deed held by the Department of Rural Credit.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Rate of Interest on rural credit mortgages.**—The rate of interest on all outstanding mortgages and contracts for deed held by the Department of Rural Credit is hereby reduced to four