

CHAPTER 11
Rules of the Road

ARTICLE I - OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

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

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

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

§ 11-102-Required obedience to traffic laws

(a) It is unlawful, and unless otherwise declared in this chapter with respect to particular offenses, it is a (misdemeanor) (violation) for any person to do any act forbidden or fail to perform any act required in this chapter.

OPTIONAL (b) Any person who violates section 11-809, 11-901, 11- 902, 11-907, or 11-908 shall be guilty of a misdemeanor.⁷²

OPTIONAL (c) Any person who violates any other section in this chapter shall be guilty of an infraction.⁷²

§ 11-103-Obedience to authorized persons directing traffic

(a) No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, firefighter, flagger at highway construction or maintenance site, or uniformed adult school crossing guard invested by law with authority to direct, control or regulate traffic.

(b) A police officer at the scene of an accident shall have the authority to control crowds of persons, restore order, open lanes of traffic by causing vehicles to be moved, direct traffic, investigate the cause of the accident, and control the clearing of the scene. All persons at the scene, including but not limited to firefighters, ambulance drivers, paramedics, tow truck operators, and other emergency service personnel, shall obey lawful orders of a police officer.

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

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

(c) When flaggers at highway construction or maintenance sites are directing traffic, they shall use devices and procedures conforming to the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.

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

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

§ 11-105—Persons working on highways—exceptions

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

§ 11-106—Authorized emergency vehicles

(a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

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

1. Park or stand, irrespective of the provisions of this chapter;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
3. Exceed the maximum speed limits so long as life or property are not thereby endangered;
4. Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal meeting the requirements of §12-401 (d) and visual signals meeting the requirements of §12-214 of this code, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a special visual signal visible from in front of the vehicle.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.

ARTICLE II – TRAFFIC CONTROL DEVICES

§ 11-201–Obedience to and required traffic-control devices

(a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed or held in accordance with the provisions of this code, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this code.

(b) No provision of this code for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

(c) Whenever official traffic-control devices are placed or held in position approximately conforming to the requirements of this code, such devices shall be presumed to have been so placed or held by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(d) Any official traffic-control device placed or held pursuant to the provisions of this code and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this code, unless the contrary shall be established by competent evidence.

§ 11-202–Traffic-control signal legend

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

(a) Green indication

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

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.⁷³

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

3. Unless otherwise directed by a pedestrian-control signal as provided in §11-203, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication⁷⁴

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in §11-203, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(c) Steady red indication

1. Vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain standing until an indication to proceed is shown except as provided in subsection (c)3.

2. Vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow, and unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication permitting the movement indicated by such red arrow is shown except as provided in subsection (c)3.

3. Except when a sign is in place prohibiting a turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by subsection (c)1 or subsection (c)2. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right of way to pedestrians within the intersection or an adjacent crosswalk.

4. Unless otherwise directed by a pedestrian-control signal as provided in §11-203, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

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

⁷⁴ It is recommended that the color yellow be used only before red. If yellow is used following the red, traffic facing the signal has a tendency to start before the green signal appears, causing interference with cross traffic clearing the intersection,

S 11-203—pedestrian-control signals⁷⁵

Whenever special pedestrian-control signals exhibiting the "Walk" or "Don't Walk" or symbols of a "walking person" or "upraised palm" are in place, such signals shall indicate as follows:

(a) *Flashing or steady Walk or Walking Person* – Any pedestrian facing the signal may proceed across the roadway in the direction of the signal and every driver of a vehicle shall yield the right of way to such pedestrian.

(b) *Flashing or Steady Don't Walk or Upraised Palm* – No pedestrian shall start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed crossing on the walk signal shall proceed to a sidewalk or safety island while the don't walk or upraised palm signal is showing.

S 11-204—Flashing signals

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

1. *Flashing red (stop signal)*—When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

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

(b) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in §11-701 of this code.

S 11-205—Lane use control signals

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

(a) *Green indication* – vehicular traffic may travel in any lane over which a green signal is shown.

(b) *Steady yellow indication* – vehicular traffic is thereby warned that a lane control change is being made.

(c) *Steady red indication* – vehicular traffic shall not enter or travel in any lane over which a red signal is shown.

(d) *Flashing yellow indication* – vehicular traffic may use the lane only for the purpose of approaching and making a left turn.

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

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

(a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is 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 an official traffic-control device or any railroad sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any highway commercial advertising on any official traffic control device except for business signs included as a part of official motorist service panels or roadside area information panels approved by the (State highway commission).

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

(d) 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.

§ 11-207—Interference with official traffic control devices

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

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

§ 11-301–Drive on right side of roadway—exceptions

(a) 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 an obstruction exists making it necessary to drive to the left of the center of the highway; provided any person driving to the left of the center of the highway shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

3. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or

4. Upon a roadway restricted to one-way traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road, alley, or driveway. The intent of this subsection is to facilitate the overtaking of slowly moving vehicles by faster moving vehicles.

(c) Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic-control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection (a)2. This subsection shall not be construed as prohibiting the crossing of the center line in making a left turn into or from an alley, private road or driveway.

§ 11-302–Passing vehicles proceeding in opposite directions

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.

§ 11-303–overtaking a vehicle on the left

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 at a safe distance to the left of the vehicle being overtaken 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 signal and shall not increase the speed of the

vehicle until completely passed by the overtaking vehicle.

§ 11-304--When passing on the right is permitted

(a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under one or more of the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;
2. Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.

(b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway.

§ 11-305--Limitations on overtaking on the left

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable, and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of any approaching vehicle.

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

(a) No vehicle shall be driven on the left side of the roadway under the following conditions:

1. When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
2. When approaching within 100 feet of or traversing any intersection or railroad grade crossing unless otherwise indicated by official traffic control devices;
3. When the view is obstructed upon approaching within 100 feet of any bridge, viaduct or tunnel,

(b) The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in S 11-301 (a)2, nor to the driver of a vehicle turning left into or from an alley, private road, or driveway.

§ 11-307--No-passing zones

(a) The (State highway commission) and local authorities are authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones; and when such signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof.

(b) Where signs or markings are in place to define a no-passing zone as set forth in paragraph (a) no driver shall at any time drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone.

(c) This section does not apply under the conditions described in §11-301(a)2, nor to the driver of a vehicle turning left into or from an alley, private road or driveway.

§ 11-308—One-way roadways and rotary traffic islands

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

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

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

§ 11-309—Driving on roadways laned for traffic

Whenever any roadway has been divided into two 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 practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

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

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

(d) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of every such device.

§ 11-310—Following too closely

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

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

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

§ 11-311-Driving on divided highways

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

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

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

§ 11-312-Restricted access

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

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

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

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

ARTICLE IV—RIGHT OF WAY

§ 11-401—Vehicle approaching or entering intersection

(a) When two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(b) The right of way rule declared in paragraph (a) is modified at through highways and otherwise as stated in this chapter.

§ 11-402—Vehicle turning left

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

§ 11-403—Stop signs and Yield signs

(a) Preferential right of way may be indicated by stop signs or yield signs as authorized in § 15-109 of this code.

(b) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right of way to pedestrians within an adjacent crosswalk.

(c) The driver of vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, and if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right of way to pedestrians within an adjacent crosswalk. If such a driver after driving past a yield sign is involved in a collision with a vehicle in the intersection or junction of roadways or with a pedestrian in an adjacent crosswalk, such collision shall be deemed prima facie evidence of the driver's failure to yield right of way.

(d) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign located at a railroad crossing shall stop at the clearly marked stop line, but if none, before entering the crosswalk on the near side of the crossing, or if none, then within 50 feet but not less than 15 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for signals indicating the approach of a train or other vehicle, and shall not proceed until it is safe to do so. After stopping as required herein and proceeding

when it is safe to do so, the driver shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing such crossing, and the driver shall not manually shift gears while crossing the track or tracks.

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

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

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

§ 11-404—Vehicle entering roadway

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

§ 11-405—Operation of vehicles (and streetcars) on approach of authorized emergency vehicles

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of §12-401(d) and visual signals meeting the requirements of § 12-214 of this code, or of a police vehicle properly and lawfully making use of an audible signal only:

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

2. Upon the approach of an authorized emergency vehicle, the operator of every streetcar 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.⁷⁶

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway,

§ 11-406.-Highway construction and maintenance

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

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

76 Subparagraph (a)2 should be omitted in states where no streetcars are in operation.

ARTICLE V—PEDESTRIANS' RIGHTS AND DUTIES

§ 11-501—Pedestrian obedience to traffic-control devices and traffic regulations

(a) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to such pedestrian, unless otherwise directed by a police officer.

(b) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in §5 11-202 and 11-203.

(c) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter.

§ 11-502—Pedestrians' right of way in crosswalks

(a) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(c) Paragraph (a) shall not apply under the conditions stated in §11-503(b).

(d) 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.

§ 11-503—Crossing at other than crosswalks

(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) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

§ 11-504—Drivers to exercise due care

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

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

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

§ 11-506--Pedestrians on highways

(a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on the shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the left side of the roadway.

(d) Except as otherwise provided in this chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.

§ 11-507—Pedestrians soliciting rides or business

(a) No person shall stand in a roadway for the purpose of soliciting a ride.

(b) No person shall stand on a highway for the purpose of soliciting employment, business, or contributions from the occupant of any vehicle.

(c) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any parked vehicle or any vehicle about to be parked on a street or highway.

§ 11-508--Driving through safety zone prohibited

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

§ 11-509—Pedestrians' right of way on sidewalks

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

§ 11-510—Pedestrians yield to authorized emergency vehicles

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of § 12-401(d) and visual signals meeting the requirements of S 12-214 of this code, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right of way to the authorized emergency vehicle.

(b) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

§ 11-511—Blind pedestrian right of way

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

§ 11-512—Pedestrians under influence of alcohol or drugs

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

§ 11-513—Bridge and railroad signals

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

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

**ARTICLE VI—TURNING AND STARTING
AND
SIGNALS ON STOPPING AND TURNING**

§ 11-601—Required position and method of turning

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

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

(b) *Left turns* — The driver of a vehicle intending to turn left shall approach the turn in the extreme left lane lawfully available to traffic moving in the direction of travel of such vehicle, Whenever practicable, the left turn shall be made to the left of the center of the intersection so as to leave the intersection or other location in the extreme left lane lawfully available to traffic.

(c) The state highway commission and local authorities in their respective jurisdictions may cause official traffic-control devices to be placed and thereby require and direct that a different course from that specified in this section be traveled by turning vehicles, and when such devices are so placed no driver shall turn a vehicle other than as directed and required by such devices.

(d) *Two-way left turn lanes* — Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic-control devices:

1. A left turn shall not be made from any other lane,
2. A vehicle shall not be driven in the lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a U turn when otherwise permitted by law.

§ 11-602—Limitations on U-turns

(a) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with other traffic.

(b) 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.

§ 11-603—Starting a parked vehicle

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

§ 11-604—Turning movements and required signals

(a) No person shall turn a vehicle or move right or left upon a roadway unless and until such movement can be made with reasonable safety nor without giving an appropriate signal.

(b) For vehicles equipped with mechanical or electrical turn signals, a signal of intention to turn or move right or left shall be given continuously during not less than the last 100 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 to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

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

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

(a) Any stop or turn signal when required shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in paragraph (b).

(b) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle and to any combination of vehicles.

(c) The signals required on vehicles by subsection (b) shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

§ 11-606—Method of giving hand-and-arm signals

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

1. *Left* turn—Hand and arm extended horizontally.
2. *Right* turn—Hand and arm extended upward.
3. *Stop or decrease speed*—Hand and arm extended downward.

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

ARTICLE VI I—SPECIAL STOPS REQUIRED

§ 11-701—Obedience to signal indicating approach of train

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

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
2. A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train;
3. A railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance, or such railroad train by reason of its speed or nearness to such crossing is an immediate hazard;
4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

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

(a) Except as provided in subsection (b), the driver of any vehicle described in regulations issued pursuant to subsection (c), before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than 15 feet from the nearest rail of such railroad and, while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train and shall not proceed until it is safe to do so. After stopping as required, upon proceeding when it is safe to do so, the driver of the vehicle shall cross only in a gear of the vehicle that will not require manually changing gears while traversing such crossing, and the driver shall not manually shift gears while crossing the track or tracks.

(b) This section shall not apply at:

1. Any railroad grade crossing at which traffic is controlled by a police officer or human flagger;
2. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;
3. Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;
4. Any railroad grade crossing at which an official traffic control device gives notice that the stopping requirement imposed by this section does not apply.

(c) The (commissioner or other appropriate State official or agency) shall adopt such regulations as may be necessary describing the vehicles which must comply with the stopping requirements of this section. In formulating such regulations the (commissioner or other appropriate State official or agency) shall give consideration to the number of passengers carried by the vehicle and the hazardous nature of any substance carried by the vehicle in

determining whether such vehicle shall be required to stop. Such regulations shall correlate with and so far as possible conform to the most recent regulation of the United States Department of Transportation.⁷⁷

§ 11-703—Moving heavy equipment at railroad grade crossings

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

(b) Notice of any such intended crossing shall be given to a station agent of such railroad and a reasonable time be given to such railroad to provide proper protection at such crossing.

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

(d) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or car. If a flagger is provided by the railroad, movement over the crossing shall be under the flagger's direction.

§ 11-704—Emerging from alley, driveway or building

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

§ 11-705—Overtaking and passing school bus

(a) The driver of a vehicle meeting or overtaking from either direction any school bus meeting the color and identification requirements of §12-222(a), (b) and (c) of this code stopped on the highway shall stop before reaching such school bus when there is in operation on that school bus the flashing red lights specified in §12-222(a). The driver shall not proceed until such school bus resumes motion or the flashing red lights are no longer actuated.

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

(b) The red visual signals meeting the requirements of S 12-222(a) of this code shall be actuated by the driver of the school bus only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children. A school bus driver shall not actuate said special visual signals:

1. In business districts and on urban arterial streets designed by the (State highway commission) or local authorities:

2. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or

3. In designated school bus loading areas where the bus is entirely off the roadway.

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

ARTICLE VIII – SPEED RESTRICTIONS

§ 11-801–Basic rule

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

§ 11-802–Maximum limits

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

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

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

§ 11-803–Establishment of State speed zones

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

§ 11-804–When local authorities may and shall alter maximum limits

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

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

(b) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all

arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under this code for an urban district.

(c) Any altered limit shall be effective at all times, or during hours of darkness or at other times as may be determined when appropriate signs giving notice thereof are erected upon such street or highway.

(d) Any alteration of maximum limits on State highways or extensions thereof in a municipality by local authorities shall not be effective until such alteration has been approved by the (State highway commission).

(e) Not more than six such alterations as hereinabove authorized shall be made per mile along a street or highway, except in the case of reduced limits at intersections, and the difference between adjacent limits shall not be more than 10 miles per hour.

§ 11-805-Minimum speed regulation

(a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(b) Whenever the (State highway commission) or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any highway or part of a highway impede the normal and reasonable movement of traffic, the (commission) or such local authority may establish a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law, and that limit shall be effective when posted upon appropriate fixed or variable signs.

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

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

§ 11-807-Special speed limitations

(a) No person shall drive a vehicle which is towing a house trailer at a speed greater than a maximum of 45 miles per hour.

(b) 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 signposted as provided in this section.

(c) The (State highway commission) and local authorities on highways under their respective jurisdictions may conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter, the (commission) or local authority shall establish the maximum speed of vehicles which such structure can safely withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained before each end of such structure.

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

§ 11-808--Charging violations and rule in civil actions

(a) In every charge of violation of any speed regulation in this article, the complaint and the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven and the maximum speed applicable within the district or at the location.

(b) The provision of this article declaring maximum speed limitations shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

§ 11-809--Racing on highways

(a) No person shall drive any vehicle in any race, speed competition, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record; and no person shall in any manner participate in any such race, competition, contest, test or exhibition.

(b) Drag race is defined as the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

(c) Racing is defined as the use of one or more vehicles in an attempt to: outgain, outdistance, or prevent another vehicle from passing; to arrive at a given destination ahead of another vehicle or vehicles; or to test the physical stamina or endurance of drivers over long distance driving routes.

(d) Any person convicted of violating this section shall be punished as provided in §17-101(b).

(e) This section does not apply to persons riding bicycles.

ARTICLE IX - DUI AND OTHER SERIOUS TRAFFIC OFFENSES⁷⁸

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

(a) It is unlawful for a person to consume an alcoholic beverage while driving a vehicle on a public highway.

(b) Except as otherwise provided in this subsection, it is unlawful for a person to possess an open container of an alcoholic beverage within the passenger area of a motor vehicle while the motor vehicle is on a public highway. This prohibition does not apply to a motor vehicle being used primarily for the transportation of persons for compensation or to the living quarters of a house coach, house trailer, or recreational vehicle nor does it apply to a vehicle operated by a chauffeur in his or her for-hire capacity.

(c) Violations of this section are punishable by a fine of not more than (\$500), or imprisonment for not more than (30) days, or both such fine and imprisonment.

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

(a) A person shall not drive any vehicle while:

1. the alcohol concentration in such person's blood or breath is 0.08 or more;
2. the alcohol concentration in such persons blood or breath as measured within (two) hours of the time of driving is 0.08 or more;
3. under the influence of alcohol;
4. under the influence of any drug or combination of drugs to a degree which renders such person incapable of safely driving; or,
5. under the combined influence of alcohol and any drug or drugs to a degree that renders such person incapable of safely driving.

(b) Under the extreme influence of alcohol: a person shall not drive any vehicle while:

1. the alcohol concentration in such person's blood or breath is (0.16)⁷⁹ or more; or,
2. the alcohol concentration in such person's blood or breath as measured within (two) hours of the time of driving is (0.16) or more.

(c) A person convicted of violating subsection (a) shall be punished as follows:

1. For a first offense, a person shall be sentenced to imprisonment for not less than (ten) days or more than (one) year or to pay a fine of not less than (\$250) nor more than (\$1,000) or to both such imprisonment and fine. The department shall suspend the person's license for (180) days.

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

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

2. For a second or subsequent conviction within (five) years, a person shall be sentenced to imprisonment for not less than (90) days nor more than (one year) and shall pay a fine of not less than (\$500) nor more than (\$1,000). The department shall revoke the person's license for (one year)⁸⁰

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

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

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

(e).

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

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

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

81 See footnote 80.

82 This is an exception from the general UVC practice authorizing revocation of the license for one year. States concerned about the hardship that might result from a two-year license revocation could enact the hardship provision enumerated in footnote 80.

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

4. Upon application for a driver's license by any person under an order of commitment or supervised treatment pursuant to subparagraph (2) under this subsection, the results of the examination referred to in subparagraph (1) of this subsection and a report of the progress of the treatment ordered shall be forwarded by the applicant to the department for consideration by the health advisory board.

5. The department may after receiving the advice of the health advisory board issue a license to such person with conditions and restrictions that are consistent with the progress of the person's rehabilitation and the protection of the public.

(f) A court may order a person convicted of a violation of either subsections (a) or (b), who has had his or her license restored, to only operate motor vehicles that are equipped with a certified ignition interlock device,

(g) The fact that any person charged with violating either subsections (a) or (b) is or has been legally entitled to use alcohol or any drug shall not constitute a defense against any charge of violating this section.

(h) A sentencing judge may permit any jail sentence or any portion of a jail sentence imposed for violating either subsections (a) or (b) and punished under either subsections (c) or (d) to be served under a home detention program.

(i) A person convicted of violating either subsections (a) or (b) may be ordered by the court to perform community service, to pay restitution to any victims, and to pay the costs associated with an incarceration, a home detention program, an alcohol-drug abuse evaluation or a treatment program.

§ 11-903-Chemical and other tests

(a) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person driving under the influence of alcohol or drugs, evidence of the concentration of alcohol or drugs in a person at the time alleged, as determined by analysis of the person's blood, urine, breath or other bodily substance, shall be admissible by any party to such action or proceeding. Where such a test is made the following provisions shall apply:

1. Chemical analyses of the person's blood, urine, breath, or other bodily substance to be considered valid under the provisions of this section shall have been performed according to methods approved by the (state department of health) and by an individual possessing a valid permit issued by the (state department of health) for this purpose. The (state department of health) is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits that shall be subject to termination or revocation at the discretion of the (state department of health).

2. When a person submits to a blood test at the request of a law enforcement officer, only a qualified person⁸³ may withdraw blood for the purpose of determining the alcoholic or drug content therein. This limitation shall not apply to the taking of breath specimens.

3. Upon the request of the person who submitted to a chemical test or tests at the request of a law enforcement officer, the results of such test or tests shall be made available to the person or such person's attorney.

(b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by a person driving under the influence of alcohol, if the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood or breath was less than 0.08, such fact shall not give rise to any presumption that the person was not under the influence of alcohol, but may be considered with other competent evidence in determining that issue. This provision shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of drugs.

(c) If a person under arrest refuses to submit to a chemical test under the provisions of this section, evidence of such refusal shall be admissible by any party in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was driving under the influence of alcohol or drugs.

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

(a) Any person who operates a vehicle upon the highways of this State shall be deemed to have given consent to a test or tests of such operator's blood or breath, for the purpose of determining the operator's alcohol concentration, and to a test or tests of such operator's blood, urine, or other bodily substances for purpose of detecting the presence of drugs. The test or tests shall be administered at the direction of a law enforcement officer who has arrested that person for, or has probable cause to believe, that the person has operated a vehicle under the influence of alcohol and/or drugs or other controlled substances, or in the case of a person under the age of 21 years, that such person has operated a vehicle while having any measurable amount of alcohol in his or her system.

(b) Any person who is dead, unconscious or who is otherwise in a condition rendering one incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this section and the test or tests may be administered, subject to the provisions of section 11-903.

(c) A person requested to submit to a test as provided above shall be warned by the law enforcement officer requesting the test that a refusal to submit to or the failure to complete the test will result in the immediate suspension of such person's license to operate a motor vehicle for (one year).

⁸³ The state shall determine the definition of qualified person.

(d) If the person refuses testing or fails to complete it, or submits to a test required under subsection (a) which discloses an alcohol concentration of 0,08 or more, or if the officer otherwise makes the determination based on probable cause that the person operated a vehicle under the influence of alcohol and/or drugs or other controlled substances, on behalf of the Department of Motor vehicles the officer directing administration of the test or making such determination shall serve on the person immediate notice of the Department's intention to suspend the person's license to operate a motor vehicle. Such officer also shall submit a sworn report to the Department certifying one of the following:

1. the test was requested pursuant to subsection (a) and the person refused to submit to testing or failed to complete it:

2. the person submitted to a test that disclosed an alcohol concentration of 0.08 or more;

3. the officer made an arrest based on probable cause that the person operated a vehicle under the influence of alcohol or drugs or other controlled substances.

(e) Upon receipt of the sworn report of a law enforcement officer submitted under subsection (d), the department shall suspend the driver's license of the person for a period of:

1. (one year) for refusal to take the requested test or the failure to complete it;

2. (180 days) if the person submitted to testing required under subsection (a) which disclosed an alcohol concentration of 0.08 or more;

3. (180 days) if the officer made the arrest based on probable cause that the person operated a vehicle under the influence of alcohol and/or drugs or other controlled substances.

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

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

(g) A license suspension under this section shall become effective (30) days after the date of service of the notice of suspension. Any person whose license is suspended under this section may make a written request for a hearing. The request shall state the grounds upon which the person seeks to have the suspension rescinded. The filing of the request shall not stay the suspension. The hearing shall be held within (20) days after filing of the request in the county in which the alleged offense occurred, unless the person and the department agree to a different location. The hearing shall be recorded and be conducted by the department's designated agent.⁴ The hearing may be conducted upon a review of the law enforcement officer's own reports,

provided however that the person may subpoena the officer. The department may issue subpoenas to compel the attendance of witnesses. The scope of the hearing shall be limited to the issues of:

1. whether the law enforcement officer requested the test;
2. whether the person was warned as required by subsection (c);
3. whether the person was driving a vehicle;
4. whether the person refused to submit to the testing or failed to complete it; and
5. whether a properly administered test or tests disclosed an alcohol concentration of 0.08 or more.

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

(a) Notwithstanding any other provision of law, it is unlawful for a person under the age of 21 years who has an alcohol concentration ~~of~~ 0.02 or more, as measured by a preliminary alcohol screening test or a test authorized by section 11-903, to drive a vehicle. The penalty for a person under the age of 21 years driving with an alcohol concentration of 0.02 or more is suspension of the driving privilege for (180 days).

(b) If a law enforcement officer detains a person under 21 years of age who is driving a vehicle, and the officer has reasonable cause to believe that the person has any measurable amount of alcohol in his or her system and a preliminary alcohol screening device is immediately available, the officer shall request that the person take a preliminary alcohol screening test to determine the possible presence and amount of alcohol in the person. If a preliminary alcohol screening is not immediately available, the officer may request that the person submit to chemical testing of his or her blood or breath pursuant to the requirements of sections 11-903.

(c) Any person under the age of 21 years who drives a vehicle, or his or her parent or guardian on behalf of such person under age 21, is deemed to have given consent to a preliminary alcohol screening test or any test authorized by section 11-903 or 11-904 for the purpose of determining the presence of alcohol in the person, if such person was lawfully detained for an alleged violation of subsection (a). Any person under age 21 who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusal, shall be deemed to have provided the consent authorized by this subsection and the test or tests may be administered.

(d) A person under the age of 21 years requested to submit to a test as provided by this section shall be told by the law enforcement officer requesting the test that a refusal to submit to or the failure to complete a preliminary alcohol screening test or a test authorized by section 11-903 or 11-904, as requested by the officer, will result in the suspension of such person's license to operate a motor vehicle for (one year).

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

(e) If the person refuses to take or fails to complete the preliminary alcohol screening test, or refuses to take or fails to complete a chemical test if a preliminary alcohol screening device is not immediately available, or if the person takes the preliminary alcohol screening test and that test reveals a blood alcohol concentration of 0.02 percent or more, or if the person takes a chemical test pursuant to the provisions of section 11-903 revealing a blood alcohol concentration of 0.02 or more, the officer shall proceed as follows:⁸⁵

1. Acting on behalf of the Department, the officer shall serve the person with a notice of an order of suspension of the person's driving privilege.

2. The officer shall take possession of any driver's license issued by this State which is held by the person. On behalf of the Department, when the officer takes possession of a valid driver's license, the officer shall issue a temporary driver's license. The temporary driver's license may be an endorsement on the notice of the order of suspension and shall be valid for 30 days from the date of issuance.

3. Within 5 business days after the day the notice of suspension is served, the officer shall forward to the Department a copy of the completed notice of order of suspension, the driver's license if taken into possession pursuant to paragraph (2), and any other reports which may be required by law or regulation.

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

1. It is unlawful for anyone under the age of 21 to drive with an alcohol concentration of 0.02 or greater, as measured by a preliminary alcohol-screening test or other chemical test,

2. The penalty for driving with an alcohol concentration of 0.02 or greater is a suspension of the driving privilege for (180 days).

3. For a person under the age of 21, a refusal to take or a failure to complete a preliminary alcohol screening test or other chemical test for the purpose of determining the person's level of alcohol concentration shall result in a (one year) suspension of the driving privilege.

85 The intention of the drafters is to provide the law enforcement officer with an expedited procedure for suspending and seizing the license of persons under the age of 21 who have been drinking.

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

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

1. whether the law enforcement officer requested the test;
2. whether the person was warned as required by subsection (d);
3. whether the person was driving a vehicle;
4. whether the person refused to submit to the testing or failed to complete it;
5. whether a properly administered test or tests disclosed an alcohol concentration of 0.02 or more.

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

§ 11-906-Preliminary Alcohol Screening Test

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

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

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

§ 11-908 - Limits on Plea Bargaining

When the prosecution agrees to a plea of guilty or nolo contendere to a charge of a violation other than §11-902(a), in satisfaction of or as a

substitute for an original charge or a violation of §11-902(a), the prosecution shall state for the record a factual basis for the satisfaction or substitution, including whether or not there had been consumption of any alcoholic beverage or ingestion or administration of any other drug, or both, by the defendant in connection with the offense.

§ 11-909-Reckless driving

(a) Any person who drives any vehicle in willful or 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 five days nor more than 90 days, or by a fine of not less than \$25 nor more than (\$500), or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than 10 days nor more than six months, or by a fine of not less than \$50 nor more than (\$500), or by both such fine and imprisonment.

§ 11-910 - Homicide by vehicle

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

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

§ 11-901 - Fleeing or attempting to elude a police officer

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

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

ARTICLE X – STOPPING, STANDING AND PARKING

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

(a) Outside a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave such vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(b) This section, § 11-1003 and § 11-1004 shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

§ 11-1002--Officers authorized to remove vehicles

(a) Whenever any police officer finds a vehicle in violation of any of the provisions of §11-1001 the officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move it off the roadway.

(b) Any police officer is hereby authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway, or in any tunnel, in such position or under such circumstances as to obstruct the normal movement of traffic.

(c) Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:

1. Report has been made that such vehicle has been stolen or taken without the consent of its owner, or
2. The person or persons in charge of such vehicle are unable to provide for its custody or removal, or
3. When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.

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

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

1. Stop, stand, or park a vehicle:
 - A. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - B. On a sidewalk;
 - C. Within an intersection;
 - D. On a crosswalk;
 - E. 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;

F. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

G. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

H. On any railroad tracks;

I. On any controlled-access highway;

J. In the area between roadways of a divided highway, including crossovers;

K. On highways and elsewhere throughout the state in any parking space designated by the International Access Symbol without displaying an authorized disabled parking registration plate, removable windshield placard, or temporary removable windshield placard as defined in §3-901.

L. At any place where official traffic-control devices prohibit stopping.

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

A. In front of a public or private driveway;

B. Within 15 feet of a fire hydrant;

C. Within 20 feet of a crosswalk at an intersection;

D. Within 30 feet of any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;

E. 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 the entrance (when properly signposted);

F. At any place where official traffic control devices prohibit standing.

3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

A. Within 50 feet of the nearest rail of a railroad crossing;

B. At any place where official traffic control devices prohibit parking.

(b) No person shall move a vehicle not lawfully under such person's control into any such prohibited area or away from a curb such a distance as is unlawful.

§ 11-1004 - Additional parking regulations

(a) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(b) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(c) Local authorities may permit angle parking on any roadway, except that angle parking shall not be permitted on any Federal-aid or State highway unless the (State highway commission or State highway engineer) has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(d) The (State highway commission) with respect to highways under its jurisdiction may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing or parking of vehicles on any highway where in its opinion such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand or park any vehicle in violation of the restrictions indicated by such devices.

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

(a) Disabled parking registration plates, removable windshield placards, or temporary removable windshield placards, in accordance with Section 3-901, et seq. displaying the International Symbol of Access, shall be the only recognized means of identifying vehicles permitted to utilize parking spaces reserved for persons with disabilities.

(b) Removable windshield placards and temporary removable windshield placards shall be displayed in such a manner that they may be viewed from the front and rear of the vehicle by hanging from the front windshield rearview mirror of a vehicle utilizing a parking space reserved for persons with disabilities. When there is no rearview mirror, the placard shall be displayed on the dashboard.

(c) Disabled parking registration plates, removable windshield placards, and temporary removable windshield placards, issued by the authority of other states and countries for the purpose of identifying vehicles permitted to utilize parking spaces reserved for persons with disabilities shall be recognized and accorded all rights and privileges as such identification devices issued under the authority of this state.

ARTICLE XI – MISCELLANEOUS RULES

§ 11-1101-Unattended motor vehicle

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

§ 11-1102-Limitations on backing

(a) The driver of a vehicle shall not back the vehicle unless such movement can be made with safety and without interfering with other traffic.

(b) The driver of a vehicle shall not back the vehicle upon any shoulder or roadway of any controlled-access highway.

§ 11-1103-Driving upon sidewalk

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

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

(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, 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 streetcar) shall ride in such position as to interfere with the driver's (or streetcar operator's) view ahead or to the sides, or to interfere with such person's control over the driving mechanism of the vehicle (or streetcar.)

(c) No person shall drive a vehicle while a child or any other person or an animal is so positioned as to be between the body of the driver and the steering wheel.

§ 11-1105-Opening and closing vehicle doors

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

§ 11-1106-Riding in house trailers

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

§ 11-1107—Driving on mountain highways

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

§ 11-1108—Coasting prohibited

(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears or transmission of such vehicle in neutral.

(b) The driver of a truck or bus when traveling upon a down grade shall not coast with the clutch disengaged.

§ 11-1109—Following fire apparatus prohibited

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 stop within 500 feet of any fire apparatus stopped in answer to a fire alarm.

§ 11-1110—Crossing fire hose

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

§ 11-1111—Putting glass, etc., on highway prohibited

(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.

(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.

§ 11-1112—Stop when traffic obstructed

No driver shall enter an intersection or a marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or railroad grade crossing to accommodate the vehicle such driver is operating without obstructing the passage of other vehicles, pedestrians or railroad trains, notwithstanding any traffic-control signal indication to proceed.

§ 11-1113—Snowmobile operation limited

(a) No person shall operate a snowmobile on any controlled-access highway.

(b) No person shall operate a snowmobile on any other highway except when crossing the highway at a right angle, when use of the highway by other motor vehicles is impossible because of snow, or when such operation is authorized by the authority having jurisdiction over the highway.

§ 11-1114—Railroad trains not to block crossings

No person or government agency shall operate any train in such a manner as to prevent vehicular use of any roadway for a period of time in excess of five consecutive minutes except:

1. When necessary to comply with signals affecting the safety of the movement of trains;

2. When necessary to avoid striking any object or person on the track;

3. When the train is disabled;

4. When the train is in motion and engaged in switching operations;

5. When there is no vehicular traffic waiting to use the crossing; or

6. When necessary to comply with a governmental safety regulation.

§ 11-1115—Eye protection devices

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

§ 11-1116—Rights and duties—motorized wheelchairs

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

§ 11-1117—Funeral and other processions

(a) No driver of a vehicle (or operator of a streetcar) shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this section. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(b) Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

(c) A funeral composed of a procession of vehicles shall be identified as such by the display, visible through the windshield or upon the outside of each vehicle, of a pennant, placard, or other identifying marking, and by turning on the headlights of each vehicle in the procession.

§ 11-1118--Carrying passengers unsecured in rear

(a) No person, driving a truck with a gross weight of (10,000) pounds or less, commonly known as a pickup truck, or driving a flatbed motortruck of any weight, shall transport any minor under the age of (18) in the back of the truck; and no minor under the age of (18) years shall ride in the back of the truck.

(b) Subdivision (a) does not apply if any of the following conditions are met:

1. The space in the back of the truck is enclosed to a height of 46 inches extending vertically from the floor.

2. The vehicle has installed any means of preventing the minor from being discharged from the back.

3. The minor in the back of the truck is secured to the vehicle in a manner that will prevent the minor from being thrown, falling, or jumping from the vehicle.

(c) This section does not apply to the transportation of employees, as that term is defined in the pertinent labor code of the state; and nothing in this section permits transportation of employees in a manner inconsistent with state or federal laws or regulations.

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

§ 11-1201—Effect of regulations

(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

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

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

§ 11-1203—Riding on bicycles

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

5 11-1204--Clinging to vehicles

(a) No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself or herself to any (streetcar or) vehicle upon a roadway.

(b) This section shall not prohibit attaching a bicycle trailer or bicycle semitrailer to a bicycle if that trailer or semitrailer has been designed for such attachment.

§ 11-1205—Position on roadway

(a) Any person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.

2. When preparing for a left turn at an intersection or into a private road or driveway.

3. When reasonably necessary to avoid conditions including but not limited to: fixed or moving objects; parked or moving vehicles; bicycles; pedestrians; animals; surface hazards; or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a motor vehicle to travel safely side by side within the lane.

4. When riding in the right-turn-only lane.

(b) Any person operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

§ 11-1206—Riding two abreast

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

§ 11-1207--Carrying articles

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

§ 11-1208--Left turns

(a) A person riding a bicycle or a moped intending to turn left shall follow a course described in §11-601 or in subsection (b).

(b) A person riding a bicycle or a moped intending to turn left shall approach the turn as close as practicable to the right curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the bicyclist or moped driver shall stop, as much as practicable out of the way of traffic. After stopping the bicyclist or moped driver shall yield to any traffic proceeding in either direction along the roadway the bicyclist had been using. After yielding, and complying with any official traffic control device or police officer regulating traffic on the highway along which he or she intends to proceed, the bicyclist or moped driver may proceed in the new direction.

(c) Notwithstanding the foregoing provisions, the state highway commission and local authorities in their respective jurisdictions may cause official traffic-control devices to be placed and thereby require and direct that a specific course be traveled by turning bicycles or mopeds, and when such devices are so placed, no person shall turn a bicycle or a moped other than as directed and required by such devices.

§ 11-1209—Bicycles and human powered vehicles on sidewalks

(a) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(b) A person shall not ride a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, where such use of bicycles is prohibited by official traffic-control devices.

(c) A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

(d) No person shall drive or operate a vehicle upon or along a sidewalk or shared pedestrian facility, or across a roadway upon or along a crosswalk, unless vehicles of that class are authorized by statute or by a posted traffic control device to be driven or operated upon or along a sidewalk or shared pedestrian facility or across a roadway upon or along a crosswalk.

The driver or operator of any vehicle so authorized when driving or operating said vehicle upon or along a sidewalk, or shared pedestrian facility, or across a roadway upon or along a crosswalk, shall first obey all traffic control devices posted to regulate, warn, or guide drivers or operators of that class of vehicle and second shall obey all traffic control devices posted to regulate, warn or guide pedestrians, except for those provisions which by their very nature can have no application.

§ 11-1210-Bicycle parking

(a) A person may park a bicycle on a sidewalk unless prohibited or restricted by an official traffic control device.

(b) A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(c) A bicycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed.

(d) A bicycle may be parked on the roadway abreast of another bicycle or bicycles near the side of the roadway at any location where parking is allowed.

(e) A person shall not park a bicycle on a roadway in such a manner as to obstruct the movement of a legally parked motor vehicle.

(f) In all other respects, bicycles parked anywhere on a highway shall conform with the provisions of Article X regulating the parking of vehicles.

§ 11-1211-Bicycle racing

(a) By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

(b) Bicycle racing on a highway shall not be unlawful when a racing event has been approved by state or local authorities on any highway under their respective jurisdictions. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

§ 11-1212-Mopeds in bicycle lanes

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

ARTICLE XIII – SPECIAL RULES FOR MOTORCYCLES

§ 11-1301—Traffic laws apply to persons operating motorcycles

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

§ 11-1302—Riding on motorcycles

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

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

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

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

§ 11-1303—Operating motorcycles on roadways laned for traffic

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

(b) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken. This subsection shall not apply to a motorcyclist passing a bicycle, to the driver of a moped, nor to a police officer in the performance of the officer's duties.

(c) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles. This subsection shall not apply to police officers in the performance of their duties.

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

§ 11-1304—Clinging to other vehicles

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

§ 11-1305-Footrests and handlebars

(a) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passenger.

(b) No person shall operate any motorcycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.

§ 11-1306-Equipment for motorcycle riders

(a) No person shall operate or ride upon a motorcycle unless such person is wearing protective headgear which complies with standards established by the commissioner.

(b) No person shall operate a motorcycle unless such person is wearing an eye-protective device of a type approved by the commissioner, except when the motorcycle is equipped with a windscreen.

(c) This section shall not apply to persons riding within an enclosed cab or on a golf cart.

(d) The commissioner is hereby authorized to approve or disapprove protective headgear and eye-protective devices, and to issue and enforce regulations establishing standards and specifications for the approval thereof. The commissioner shall publish lists of all protective headgear and eye-protective devices by name and type which have been so approved.

§ 11-1307-Headlamps on motorcycles during operation

(a) No person shall operate a motorcycle unless the headlamps are lighted at all times during operation. Motorcycles may be driven to the nearest repair facility for headlamp repair except during hours of darkness.

(b) Except at times when headlamps are required to be lighted as provided by §12-201, the headlamps of motorcycles may be modulated whenever the motorcycle is in operation during daylight hours.

(c) Subsection (a) shall not apply to motorcycles manufactured prior to ___ (date).

ARTICLE XIV - STREETCARS⁸⁶

§ 11-1401—Traffic laws apply to operators of streetcars

Every operator of a streetcar upon any roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter and chapter 10, except regulations and provisions which by their nature can have no application.

§ 11-1402—Passing streetcar on left

(a) The driver of a vehicle shall not overtake and pass upon the left nor drive upon the left side of any streetcar proceeding in the same direction, whether such streetcar is actually in motion or temporarily at rest, except:

1. When so directed by a police officer;
2. When upon a one-way street; or
3. When upon a street where the tracks are so located as to prevent compliance with this section.

(b) The driver of any vehicle when permitted to overtake and pass upon the left of a streetcar which has stopped for the purpose of receiving or discharging any passenger shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right of way when required by other sections of this chapter.

§ 11-1403—Passing streetcar on right

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

§ 11-1404—Driving on streetcar tracks

(a) The driver of any vehicle proceeding upon any streetcar track in front of a streetcar upon a street shall remove such vehicle from the track as soon as practical after signal from the operator of the streetcar.

(b) When a streetcar has lawfully entered and is crossing an intersection, no driver of a vehicle shall drive upon or across the car tracks within the intersection in front of the streetcar when there is a possibility of a collision.

(c) Upon overtaking and passing a streetcar, the driver of a vehicle shall not turn in front of such streetcar so as to interfere with or impede its movement.

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