

Title 10

Vehicles and Traffic

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Chapter 10.04

Model Traffic Code *

- 10.04.010 Short Title.**
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10.04.010 Short Title.

The ordinance codified in this chapter may be known and cited as the Municipal Traffic Ordinance. (Ord. 270 § 9, 1979)

10.04.020 Interpretation.

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the local traffic regulations contained herein. Article and section headings of the chapter and adopted Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. (Ord. 562 § 1 (part), 2005)

10.04.030 Adoption.

Pursuant to CRS §§ 31-16-101, et seq., and 31-16-201, et seq., there is hereby adopted by reference Articles I and II, inclusive of the 2003 Edition of the Model Traffic Code for Colorado Municipalities (the "Code"), promulgated and published as such by the Colorado Department of Transportation, Safety and Engineering Branch, 4201 East Arkansas Avenue, Denver, Colorado 80222. The subject matter of the Code relates primarily to comprehensive traffic control regulations for the Town of Hayden. The purpose of the Code adopted herein and this chapter is to provide a system of traffic regulations consistent with the state law and generally conforming to similar regulations throughout the state. Three copies of the Code adopted herein are now filed in the office of the Clerk of the Town of Hayden, Colorado and may be inspected during any regular business hours. The 2003 Edition of the Model Traffic Code is adopted, as if set out at length, save and except the following articles and/or sections which are declared to be inapplicable to the municipality and are therefore either expressly deleted or modified. (Ord. 562 § 1 (part), 2005)

10.04.040 Additions or Modifications.

The said adopted Code is subject to the following additions or modifications:

* For statutory provisions on the regulation of traffic by local authorities, see CRS 1973 § 42-4-108 and § 42-4-109; for provisions authorizing municipalities to adopt a Model Traffic Code by reference, see CRS 1973 § 42-4-108(1)(b).

Appendix to Chapter 10.04:

Schedule I—Sec. 703, Through Streets

Schedule II—Sec. 1102, Decrease and Increase Speed Limits

Schedule III—Sec. 1006, One Way Streets

Schedule IV—Sec. 109, 603, 1412, Non-motorized Traffic and Motor-Driven Cycles Excluded

Section V—Sec. 1204, Parking Prohibited

Schedule VI—Sec. 1205(3), Angle Parking on Certain Streets

Schedule VII—Sec. 1701, Penalty Assessment and Schedule

(Ord. 642 § 1, 2012; Ord. 562 § 1 (part), 2005)

10.04.050 Penalties.

The following penalties, herewith set forth in full, shall apply to this Chapter:

A. It is unlawful for any person to violate any of the provisions stated or adopted in this Chapter.

B. Every person convicted of a violation of any provision stated or adopted in this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment. (Ord. 642 § 1, 2012; Ord. 562 § 1 (part), 2005)

10.04.060 Application.

This Chapter shall apply to every street, alley, sidewalk area, driveway, park and to other public way or public parking area, either within or outside the corporate limits of this municipality, the use of which this municipality has jurisdiction and authority to regulate. The provisions of Sections 1401, 1402, 1413, and Part 16 of the Code concerning careless driving, reckless driving, eluding a police officer, and accident and accident reports shall apply not only to public places and ways but also to all areas throughout this municipality, public or private. (Ord. 562 § 1 (part), 2005)

10.04.070 Snowmobile Operation.

Repealed by Ordinance #342, 1986.

10.04.080 Parking During Snow Removal.

There is added to Article I, Part 12 of the adopted Model Traffic Code the following:

"**1212. Winter Parking Restrictions.** During the months of November through April of each year between the hours of 12:00 o'clock midnight and 7:00 o'clock a.m., it shall be unlawful for

any person, except a physician or other person on an emergency call, to park a vehicle on a public street, public highway or public alley in or within the Town of Hayden."

(Ord. 624 § 1, 2009)

10.04.090 Street Obstructions and Encroachments.

There is added to Article I, Part 14, 1406 of the adopted Model Traffic Code the following:

"(6) No obstruction or encroachment whatsoever, including, but not limited to ice, snow, mud, dirt, debris, rubbish and filth, other than provided by law, authorized by the Town Council of the Town of Hayden, or by Ordinance of the Town of Hayden, shall be permitted, placed, made, maintained or located upon any public street, public highway or public alley in or within the control of the Town of Hayden."

(Ord. 624 § 1, 2009)

10.04.100 Toy Vehicles.

Toy vehicles are defined as any vehicle with an outside wheel diameter of fourteen (14) inches or less and not designed, approved or intended for use on public roadways. Toy vehicles include pocket or mini bicycles, go-peds or other stand-up scooters, whether gas or electric powered. (Ord. 563 § 1, 2005)

10.04.110 Interpretation.

This Chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the local traffic regulations contained herein. Article and section headings of the ordinance and adopted code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. (Ord. 642 § 2, 2012)

APPENDIX TO CHAPTER 10.04

**Schedule I
Sec. 703. Through Streets**

In accordance with the provisions of Section 703 of the Model Traffic Code, and when official signs are erected giving notice thereof, drivers of vehicles shall stop or yield as required by such signs at every intersection before entering any of the following streets or parts of streets.

<i>Name of Street</i>	<i>Portion Affected (terminal limits)</i>
Jefferson Avenue	From East Town limits to West Town limits
Lincoln Avenue	From Polar Street East to Walnut Street
Lincoln Avenue	From Poplar Street West to 6th Street
Lincoln Avenue	From Walnut Street East to Shelton Lane
Poplar Street	From Jefferson Avenue to North Town limits

Poplar Street	From Jefferson Avenue to South Town limits
Washington Avenue	From Walnut Street East to Shelton Lane
Washington Avenue	From Walnut Street West to Poplar Street
Harvest Drive	From North intersection with Poplar Street to South intersection with Poplar Street
3rd Street	From Washington Avenue South to Breeze Basin Boulevard
Shelton Lane	From Jefferson Avenue South to Hawthorne Street
Shelton Lane	From Jefferson Avenue North to North Town limits
Jackson Avenue	From 1st Street West to 3rd Street
Hawthorne Street	From Jefferson Avenue South to RCR #37
Hayden Parkway	From Hawthorne Street West to Dead End
Crandall Avenue	From Hawthorne Street to Walnut Street
Vista Verde Drive	From West intersection with Crandall to East intersection with Crandall
Jackson Street	From Walnut Street East to South Pine
South Pine Street	From Jackson Street to Crandall Avenue
4th Street	From Jefferson Avenue South to Washington Avenue
Breeze Basin Boulevard	From Poplar Street West to West Town limits
Honeysuckle Drive	From West intersection with Harvest Drive to East intersection with Harvest Drive
Lake View Road	From West Hayden Parkway North, West and South to Dead End
Little Bend Road	From Lake View Road West to Dead End
Hayden Parkway	From Poplar Street (RCR 53) West to Dead End
Walnut Street	From Jefferson Avenue South to Jackson Avenue
Walnut Street	From Jefferson Avenue North to North Town limits
Industrial Avenue	From Hawthorne Street West to Capital Street
Capital Street	From Enterprise Lane North to Commerce Street
Enterprise Lane	From Crandall Avenue South to Capital Street
Terminal Drive	From RCR #51a to RCR #51a

(Ord. 642 §1, 2012)

Schedule II
Sec. 1102. Decrease and Increase Speeds

In accordance with the provisions of Section 1102 of the Model Traffic Code, and when official signs are erected giving notice thereof, drivers of vehicles shall obey speed up to the maximum limited by such signs on any of the following streets or parts of streets:

<i>Name of Street or Intersection</i>	<i>Portion Affected (terminal limits)</i>	<i>Speed Limit (miles per hour)</i>
Jefferson Avenue	East Town limit to approximately $\frac{1}{10}$ mile East of R/R Crossing Hayden Gulch Terminal	55 mph Westbound
Jefferson Avenue	Approximately $\frac{1}{10}$ mile East of R/R Crossing. Hayden Gulch Terminal to approximately 20 ft. West of Shelton Ln.	45 mph Westbound
Jefferson Avenue	Approximately 20 ft West of Shelton Ln. to approximately 4 ft West of Spruce St	35 mph Westbound
Jefferson Avenue	Approximately 4 ft West of Spruce St to approximately $\frac{1}{10}$ mile West of 8th St except when school beacon is flashing	30 mph Westbound
Jefferson Avenue	Approximately 185 ft West of Poplar St to 24 ft West of 3rd St	25 mph Westbound when school beacon flashing
Jefferson Avenue	Approximately $\frac{1}{10}$ mile West of 8th St to $\frac{4}{10}$ mile East of Mile Marker 106	55 mph Westbound
Jefferson Avenue	Approximately $\frac{4}{10}$ mile East of Mile Marker 106 to West Town limits	65 mph Westbound
Jefferson Avenue	From West Town limits to approximately $\frac{4}{10}$ mile East of Mile Marker 106	65 mph Eastbound
Jefferson Avenue	Approximately $\frac{4}{10}$ mile East of Mile Marker 106 to approximately 1-2 tenths mile West of Mile Marker 107	55 mph Eastbound
Jefferson Avenue	Approximately 1-2 tenths mile West of Mile Marker 107 to approximately 220 ft East of 8th St	45 mph Eastbound
Jefferson Avenue	Approximately 220 ft East of 8th St to approximately 110 ft East of Oak St except when school beacon flashing	30 mph Eastbound
Jefferson Avenue	Approximately 20 ft West of 4th St to approximately 320 West of Poplar St	25 mph Eastbound when school beacon flashing
Jefferson Avenue	Approximately 110 ft East of Oak St to approximately 250 ft East of Shelton Ln.	35 mph Eastbound
Jefferson Avenue	Approximately 190 ft East of Shelton Ln. to approximately 250 ft. East of Hawthorne St	45 mph Eastbound
Jefferson Avenue	Approximately 250 ft East of Hawthorne St to East Town limits	65 mph Eastbound
Washington Avenue	Approximately 105 ft East of Pine St to Walnut St	15 mph Westbound
Washington Avenue	Approximately 90 ft East of Walnut St to 25 mph sign approximately 105 ft East of Pine Street	15 mph Eastbound
Hawthorne Street	Approximately 360 ft South of Jefferson Ave to South Town limits	35 mph Southbound
Hawthorne Street	Approximately 100 ft North of Hayden Parkway to Jefferson Ave.	35 mph Northbound
Walnut Street	Approximately 25 ft South of Washington St to Spruce St	15 mph Southbound

Walnut Street	Approximately 100 ft West of Spruce St on Jackson Ave to Washington St	15 mph Northbound
Poplar Street (RCR #53)	Approximately 230 ft South of South entrance of Harvest Dr to South Town limits	40 mph Southbound
Poplar Street (RCR #53)	South Town limits to approximately 320 ft South of South entrance of Harvest Dr	40 mph Northbound
Poplar Street (RCR #53)	Approximately 320 ft South of South entrance of Harvest Dr to approximately 175 ft South of West entrance of Harvest Dr	30 mph Northbound
Poplar Street (RCR #53)	Approximately 175 ft South of West entrance of Harvest Dr to the end of Poplar St	25 mph Northbound
3rd Street	Approximately 60 ft South of Jefferson Ave to Breeze Basin Blvd.	15 mph Southbound
3rd Street	Approximately 220 feet North of Breeze Basin Blvd to Jefferson Ave.	15 mph Northbound
Lake View Road	Approximately 75 ft South of the South entrance of Little Bend Circle to 75 ft North of the North entrance of Little Bend Circle	15 mph Northbound
Lake View Road	From the intersection with Starlight Ln to 75 ft South of Little Bend Road	15 mph Eastbound and Southbound
All Streets	Meadow Village Trailer Park	15 mph
Breeze Basin Boulevard	Approximately 75 ft West of Poplar Ave. to approximately $\frac{2}{10}$ mile West of Poplar Ave.	15 mph Westbound
Breeze Basin Boulevard	Approximately $\frac{2}{10}$ mile West of Poplar Ave to Poplar Ave	15 mph Eastbound
RCR #51a	Approximately $\frac{1}{10}$ mile South of North Town limits to RCR #51	35 mph Southbound and Eastbound
RCR #51	From East end of RCR #51a to approximately $\frac{1}{10}$ mile South of North Town limits	35 mph Northbound
RCR #51	Approximately $\frac{1}{10}$ mile South of North Town limits to Town limits	45 mph Northbound
RCR #51	North Town limits to approximately 300 feet South of North Town limits	45 mph Southbound
RCR #51	Approximately 300 ft South of North Town limits to RCR #51a	35 mph Southbound
RCR #51a	Approximately 300 ft West of RCR #51 to Hwy #40	35 mph Westbound and Northbound
All Streets	Yampa Valley Regional Airport	15 mph

RCR = Routt County Road.

(Ord. 642 §1, 2012)

**Schedule III
Sec. 1006 One Way Streets**

In accordance with the provisions of Section 1006 of the Model Traffic Code, and when official signs are erected giving notice thereof, traffic shall move only in the direction indicated upon the following streets:

<i>Name of Street</i>	<i>Portion Affected (terminal limits)</i>	<i>Direction of Traffic Movement</i>
Terminal Drive	Entire Length	South then East then North
Challenger Loop	Entire Length	East then North then West

(Ord. 642 §1, 2012)

**Schedule IV
Sec. 805(5) Nonmotorized Traffic and Motor-Driven Cycles Excluded**

In accordance with the provisions of Section 805(5) of the Model Traffic Code, and when official signs are erected giving notice thereof, no pedestrian, bicyclist or other non-motorized traffic and no person operating a motorized bicycle or a motor-driven cycle shall use any of the following streets or highways or parts thereof:

<i>Name of Street</i>	<i>Portion Affected (terminal limits)</i>
100 Block West Jackson	No bicycle traffic allowed downhill (Hospital Hill)

(Ord. 642 §1, 2012; Ord. 270 Schedule VI, 1979)

**Schedule V
Sec. 1204(3)(b) Parking Prohibited at all Times on Certain Streets**

In accordance with the provisions of Section 1204(3)(b), and when official signs are erected giving notice thereof, no person shall at any time park a vehicle upon any of the following described streets or parts of streets:

<i>Name of Street</i>	<i>Portion Affected (terminal limits)</i>
Jefferson Avenue	From Walnut St to 40 ft East of Walnut St and 40 ft West of Walnut St (both North and South sides of Jefferson Ave).
Jefferson Avenue	From Chestnut St to 40 ft East of Chestnut St and 40 ft West of Chestnut St on the South side of Jefferson Ave. From Chestnut St to 40 ft East of Chestnut St on the North side of Jefferson Ave, excluding Northwest corner.
Jefferson Avenue	From Poplar St to 40 ft East of Poplar St and 40 feet West of Poplar St on the South side of Jefferson Ave. From Poplar St 30 ft East of Poplar St on the North side of Jefferson Ave, excluding Northwest corner.

(Ord. 642 §1, 2012)

**Schedule VI
Section 1205(3) Angle Parking On Certain Streets**

<i>Name of Street</i>	<i>Portion Affected (terminal limits)</i>
Walnut Street	East and West side from Jefferson Ave to Washington Ave
Spruce Street	East side only from Jefferson Ave to Washington Ave

(Ord. 642 §1, 2012)

**Schedule VII
Section 1701 Penalty Assessment Schedule**

<i>MTC Section</i>	<i>Charge</i>	<i>Code</i>	<i>Fine</i>	<i>PT</i>	<i>Construction Zone Fine</i>
ALCOHOL – UNDER THE INFLUENCE					
805(3)	Pedestrian on highway under the influence (Alcohol/Controlled Substance)	803	\$ 50	0	—
805(4)	Animal rider on highway under the influence (Alcohol/Controlled Substance)	802	50	0	—
BICYCLES					
1402(1)	Rode bicycle in careless manner	925	100	0	\$200
1412(3)	Unlawful number of persons on bicycle	925	25	0	50
1412(4)	Bicycle rider attached himself to motor vehicle	925	80	0	160
1412(5)	Bicycle rider failed to ride in the right hand lane as required	925	25	0	50
1412(5)	Bicycle rider failed to ride on right side of lane when being overtaken	925	25	0	50
1412(5)	Bicycle rider failed to ride on suitable paved shoulder	925	25	0	50
1412(6)(a)	Bicycle rider failed to ride single file when required	925	25	0	50
1412(6)(b)	Bicycle rider failed to ride in single lane when riding two abreast	925	25	0	50
1412(7)	Bicycle rider failed to keep at least one hand on handlebars	925	25	0	50
1412(8)(a)	Bicycle rider made improper left turn	925	25	0	50
1412(8)(h)	Bicycle rider intended to turn left disregarding traffic control device	924	40	0	80

1412(9)	Bicycle rider failed to signal intention to turn/stop	925	30	0	60
1412(10(a))	Bicycle rider on (sidewalk/roadway/crosswalk) failed to yield right-of-way to pedestrian	925	50	0	100
1412(10(b))	Rode bicycle on (sidewalk/roadway/pathway) when prohibited by (sign/device)	924	40	0	80
1412(11)	Improper parking of bicycle	924	20	0	40
109(11)	Failed to use bicycle path when directed by official signs	926	25	0	50
BICYCLE EQUIPMENT					
221(2)	Bicycle not equipped with front lamp visible 500 feet to front	931	25	0	
221(3)	Bicycle not equipped with red reflector visible 600 feet to rear	931	25	0	
221(4)	Bicycle not equipped with side reflective material or lamps	931	\$ 25	0	
221(6)	Unlawful use of (siren/whistle) upon a bicycle	551	25	0	
221(7)	Bicycle not equipped with adequate brake	931	25	0	
COMMERCIAL VEHICLE					
235(2)	Commercial carrier failed to comply with D.P.S. rules and regulations governing safety standards and specifications	713	50	0	
509(3)	Failed/refused to stop for weighing load/vehicle	525	50	0	
106	Drove truck/commercial vehicle where prohibited	920	100	0	
106	Truck/commercial vehicle exceeded posted weight limitation (specify posted & actual weights)	530	75	0	
510	Failed to have escort vehicle when required by oversize/overweight permit	527	250	0	
510	Failed to reduce speed when required by oversize/overweight permit	527	250	0	
DRIVER'S LICENSE					
1704	Directed operator of vehicle contrary to law	074	75	0	
EQUIPMENT					
202(1)	Drove a defective/unsafe vehicle or owner allowed	542	50	2	
203	Drove a defective/unsafe vehicle (notice must accompany citation)	576	SUM	2	
1414	Moved exempt construction equipment on highway when vision less than 500 feet	999	50	0	
209	Improper/no red flag/light on projecting load	543	50	0	
213(1)	Insufficient audible/visual signal on emergency vehicle	545	50	0	
213	Defective audible/visual signal on emergency	546	50	0	

	vehicle				
223(1)(b)	Motorcycle/motorized bicycle/bicycle with motor not equipped with one brake	548	50	2	
223(1)(c)	Trailer/semi-trailer did not have breakaway brakes as required	549	50	2	
223(1)(d)	Motor vehicle/trailer/semi-trailer did not have service brake as required	548	50	2	
223(2)	Performance of service/hand brake did not meet requirements	548	\$ 50	2	
224	Vehicle had no/defective horn	550	50	0	
224	Operated vehicle with unauthorized audible signal	551	50	0	
225	Vehicle had defective/improper/no mufflers	552	50	0	
226	Vehicle did not have rearview mirror(s)	553	50	0	
226	Rearview mirror did not permit minimum 200 foot vision	554	50	0	
227(2)	Vehicle had no/defective windshield wipers	555	50	0	
228(1)	Solid rubber tire failed to be at least one inch thick	556	50	0	
228(3)	Tire had block/flange/cleat/spike protruding from rubber	556	50	0	
228(5)	Operated vehicle with improper/unsafe tires	556	50	0	
228(6)	Operated vehicle on highway with tires designed for nonhighway use	556	50	0	
228(9)	Sold a vehicle with improper/unsafe tires	556	SUM	0	
229(4)	Vehicle not equipped with front windshield/safety glass in front windshield	572	50	0	
230	Required vehicle did not have emergency reflective triangles	640	50	0	
230	Failed to use warning signal flashers/emergency reflective triangles as required	641	50	0	
233	Alteration of suspension system	564	80	0	
234(1)	Failed to display slow-moving vehicle emblem	565	50	0	
234(3)	Misused slow-moving vehicle emblem	565	50	0	
502(3)	Vehicle had chains/rope/wire swinging, dragging or projecting	561	100	0	
608(2)	Vehicle not equipped with turn signals as required	540	50	0	\$100
610	Displayed unauthorized insignia	541	50	0	
FINANCIAL RESPONSIBILITY/INSURANCE					
1409(1)	Owner operated an uninsured motor vehicle on a public road	954	SUM	4	
1409(2)	Operated an uninsured motor vehicle on a public roadway	956	SUM	4	

1409(3)	Failed to present evidence of insurance upon request	957	SUM	4	
IMPROPER/RECKLESS/CARELESS DRIVING AND ACTIONS					
1211(1)	Backed vehicle in parking area when not safe and interfered with traffic	153	50	2	\$100
1211(2)	Backed vehicle on shoulder/roadway of controlled access highway	154	50	2	100
1201	Improper starting from a parked/stopped position	144	50	3	100
709	Driver stopped vehicle in intersection, marked crosswalk or railroad grade crossing when prohibited	952	75	3	150
710(3)	Drove vehicle upon sidewalk	166	75	3	
1008(1)	Following too closely	142	100	4	200
1008(2)	Unlawful following by vehicle drawing another vehicle	165	100	4	200
1008(3)	Following too closely in motorcade	143	100	4	200
1009(1)	Coasted vehicle down grade with gears in neutral	147	75	3	150
1009(2)	Coasted truck/bus down grade with gears in neutral	147	75	3	150
1010	Failed to drive as required on divided/controlled access highway	152	75	3	150
1010	Vehicle crossed roadway dividing space/medial/barrier in unlawful manner	227	75	3	150
1401(1)	Reckless driving	140	SUM	8	
1402(1)	Careless driving	141	100	4	200
1402(2)	Careless driving caused bodily injury	139	SUM	4	
1403	Following too closely behind fire apparatus	149	50	3	100
1404	Drove vehicle over fire hose	150	50	0	
1703	Aiding and abetting (specify the offense or infraction)	998	**	*	
109.5	Operated neighborhood electric vehicle where prohibited	961	SUM	0	
INTERFERENCE					
107	Disregarded lawful order/direction of police officer directing traffic	900	SUM	3	
1716(2)	Failed to obey summons to appear in court	903	SUM	0	
LANE USAGE					
806	Drove vehicle through or within pedestrian safety zone	145	\$ 75	3	\$150
1007(1)(a)	Changed lanes when unsafe	221	100	3	200
1007(1)(a)	Failed to drive in single lane (weaving)	223	100	3	200

1007(1)(b)	Drove vehicle in center lane when unnecessary/prohibited	224	100	3	200
1007(1)(c)	Failed to drive in designated lane	225	100	3	200
1007(1)(d)	Changed lanes where prohibited by official traffic control device	300	100	4	200
LIGHTS/REFLECTORS					
204(1)	Failed to display lamps when required	611	50	2	
202	Operated vehicle with defective/missing headlamps or adjustment	609	50	1	
205(1)	Motor vehicle not equipped with headlamps as required	613	50	0	
205(2)	Motorcycle not equipped with headlamp as required	614	50	0	
205(3)	Height of headlamp failed to meet requirements	612	50	0	
206(1)	Vehicle not equipped with tail lamps as required	615	50	0	
206(2)	Height of tail lamp failed to meet requirements	618	50	0	
206(3)	Vehicle had no/defective license plate lamp	619	50	0	
206(4)	Vehicle failed to have reflector as required	617	50	0	
206(5)	1958 or newer vehicle failed to have two reflectors as required	617	50	0	
206(6)	Height of reflectors failed to meet requirements	616	50	0	
207	Vehicle not equipped with clearance or side marker lamps/reflectors as required	620	50	0	
208	Vehicle had defective/no stop light(s)	623	50	0	
208	Vehicle not equipped with turn signals as required	624	50	0	
211	Farm tractor/equipment/implement of husbandry/animal-drawn vehicle not equipped with required lamps/reflectors	627	50	0	
212	Spot lamps/fog lamps/auxiliary passing lamps/auxiliary driving lamps failed to meet requirements	544	50	0	
212	Improper use of spot lamps/fog lamps/auxiliary passing lamps/driving lamps	628	\$ 50	0	
213(4)	Vehicle displayed unauthorized green light	539	50	0	
214	Lamps on service vehicle failed to meet requirements (not yellow)	645	50	0	
214	Failed to display lamps on service vehicle as requires	645	50	0	
215	Signal lamps/devices failed to meet requirements	629	50	0	
215	Vehicle did not have turn signals as required	630	50	0	
216	Vehicle had no upper – lower beam	631	50	0	

	switch/indicator				
217(1)	Improper headlight distribution	633	50	0	
217(1)(a)	Failed to dim headlights when approaching an oncoming vehicle	632	50	2	
217(1)(b)	Failed to dim lights when following another vehicle	632	50	2	
218	Single-beam headlamps failed to meet requirements	634	50	0	
219	Displayed more than four lamps when prohibited	635	50	0	
205.5(5)(1)(a)	Motor vehicle had high intensity light improperly directed	999	50	0	
205.5(5)(1)(b)	Unauthorized vehicle displayed red/blue lamps to the front	636	50	0	
222(1)	Improper auxiliary signal lamps/audible signal on volunteer fireman's vehicle	638	50	0	
222(1)	Misuse of auxiliary lamps/audible signal by volunteer fireman attendant	644	50	0	
231	Drove on highway with parking lights when headlights required	642	50	0	
MOTORCYCLES					
232(1)	Motorcycle operator/passenger had no protective eyewear as required	161	50	0	
232(2)	Motorcycle not equipped with passenger footrests	161	50	0	
1502	Improper riding on motorcycle (specify violation)	157	50	3	\$100
1503	Illegal operation of motorcycle on laned roads	226	50	3	100
1504	Person on motorcycle clung to another vehicle	158	80	3	160
MOTORIZED BICYCLES – MOTOR-DRIVEN CYCLES					
109(1)	Motorized bicycle rider failed to obey provisions of this code (state violation, i.e., failed to signal, speeding, etc.)	924	\$ 50	0	\$100
109(2)—(6)	Rode motorized bicycle in an improper manner (specify violation)	925	50	0	100
109(11)	Motorized bicycle failed to use bicycle path when directed by official signs	926	50	0	100
220	Motorized bicycle did not have lamp/reflector/audible signal/brake as required (specify)	931	50	0	
224(3)	Unlawful use of siren/whistle upon a motorized bicycle	551	50	0	
220(1)(a)	Motor-driven cycle not equipped with head lamp as required	931	50	0	

232(1)	Motor-driven cycle operator/passenger had no protective eyewear as required	161	50	0	
232(2)	Motor-driven cycle not equipped with passenger footrests	161	50	0	
OBSTRUCTED/OBSCURED VISION – INTERFERENCE WITH DRIVER					
201(1)	Number of persons in front seat of vehicle obstructed vision	450	50	0	
201(1)	Number of persons in front seat of vehicle interfered with driver	451	50	0	
201(2)	Driver of vehicle allowed passenger to ride in an unsafe manner	457	80	0	
201(3)	Television visible to vehicle operator	465	50	0	
201(4)	Driver's vision obstructed through required glass	452	50	0	
1411	Drove vehicle while wearing earphones	467	50	0	
201(5)	Passenger in vehicle interfered with/obstructed vision of driver	453	50	0	
201(5)	Driver of vehicle allowed passenger to interfere with driving	454	50	0	
201(6)	Person (hung on/attached himself) to outside of vehicle	456	80	0	
201(6)	Driver permitted person to (hang on/attach himself) to the outside of vehicle	457	80	0	
227(1)	Material on (windshield/front side windows) presented (nontransparent/metallic/mirrored) appearance (note: metallic/mirrored applies to any window)	466	75	0	
227(3)(b)	Person (installed/covered/treated) (windows/windshield) with material that does not meet requirements	466	SUM	0	
504(5)	Projecting load on vehicle obstructed driver's vision	462	\$100	0	
226(2)	Load obstructed view to rear – no mirrors	554	50	0	
OVERSIZED/OVERWIDTH/OVERLENGTH/OVERWEIGHT/PROJECTING LOADS					
502(1)	Width of (vehicle/load) exceeded 8'6"	510	100	0	
502(2)(a)	Load of loose hay exceeded 12' width	513	100	0	
502(2)(b)	Load of small rectangular hay bales on vehicle exceeded 10'6" in width	513	100	0	
502(4)	Width of bus exceeded 8'6"	511	100	0	
503	Load projected beyond fender of left side of passenger vehicle	515	50	0	
503	Load projected more than 6" on right side of passenger vehicle	516	50	0	
504(6)	Rear projection of load exceeded 10'	529	100	0	

504(5)	Load projected beyond grill assembly or front wheels	517	100	0	
504(1)	Height of vehicle exceeded 13'	518	100	0	
504(1)	Height of vehicle exceeded 14'6" on designated highway	519	100	0	
504(2)	Single vehicle exceeded 45' in length	520	100	0	
504(3)	Bus exceeded 60' in length	520	100	0	
504(4)	Combination of vehicles exceeded (four units 70' in length)	521	100	0	
504(4.5)	Saddle mount combination/laden truck tractor – semitrailer combination/auto or bus transporter exceeded (four units/75')	521	100	0	
505	Operated longer vehicle combination where prohibited	521	100	0	
106(3)	Gross weight of vehicle exceeded posted maximum load limit on street/highway/bridge/viaduct (specify posted weight and actual weight)	530	100	0	
509(3)	Refused/failed to stop for weighing load/vehicle	525	75	0	
510(3)	Failed to have escort vehicle when required by oversize/overweight permit	527	250	0	
510(3)	Failed to reduce speed when required by oversize/overweight permit	527	\$250	0	
510(4)	Operated vehicle in violation of overwidth/overlength permit	527	70	0	
PARKING VIOLATIONS					
210	Failed to display required lights when parked	350	30	0	
1201	Improper starting from a parked position	144	50	3	
1202	Stopped/parked/left standing vehicle on paved portion of highway	350	40	0	
1204	Improper stopping/standing/parking (specify the M.T.C. subsection if not listed)	350	20	0	
1204(5)	Improper moving of parked vehicle	354	20	0	
1205(1)	Parked vehicle more than 12" from curb (specify distance)	350	20	0	
1205(1)	Failed to park as close as practical to edge of shoulder	350	20	0	
1205(2)	Parked vehicle on wrong side of/in wrong direction on roadway	350	20	0	
1206	Failed to (lock ignition of/remove key from) parked vehicle	350	20	0	
1206	Parked vehicle without setting brakes	350	20	0	
1206	Parked vehicle on grade without turning wheels to	350	20	0	

	side of curb				
1207	Opened door/left door open into lane of traffic when not safe/and interfered with traffic	916	40	0	
1208(6)	Improper use of disabled parking privileges when not disabled	362	40	0	
1208(7)	Improper use of disability license plate/placard to receive disability privileges	362	SUM	0	
1205(3)	Angle parking only	350	20	0	
1204(1)(c)	Parked on crosswalk	350	40	0	
PASSING					
802(4)	Passed vehicle stopped for pedestrian in marked/unmarked crosswalk	203	50	3	\$100
1002	Failed to yield one-half of the roadway to oncoming vehicles	190	100	4	200
1003(1)(a)	Passed on left in unsafe manner (use when vehicle failed to maintain safe distance from overtaken vehicle during pass or upon return to right lane)	192	\$100	4	\$200
1003(1)(b)	Driver failed to give way when overtaken	193	100	3	200
1004	Passed on right when not permitted/not safe	194	100	4	200
1005(1)	Passed on left when not clear to traffic	195	100	4	200
1005(1)	Passed without giving oncoming traffic sufficient clearance	201	100	4	200
1005(2)(a)	Passed on crest of grade/curve when view obstructed	197	100	4	200
1005(2)(b)	Passed when crossing/within 100 ft. of intersection/railroad crossing	196	100	4	200
1005(2)(c)	Passed within 100 ft. of bridge/tunnel/viaduct when view obstructed	200	100	4	200
1005(3)	Passed on left when prohibited by signs/markings	199	100	4	200
1007(1)(b)	Attempted to pass/passed on shoulder of right hand traffic lane	222	100	4	200
PEDESTRIAN/ANIMAL RIDER VIOLATIONS					
808	Pedestrian failed to yield right-of-way to disabled person	999	75	0	150
604	Pedestrian disregarded/failed to obey traffic control signal	400	100	0	200
801	Pedestrian disregarded traffic control devices	401	30	0	60
802(3)	Pedestrian suddenly walked/ran into path of vehicle	411	40	0	80
803	Pedestrian failed to yield right-of-way to vehicle	402	40	0	80
803	Pedestrian failed to cross roadway as required	407	40	0	80
805(2)	Pedestrian solicited rides in roadway	404	40	0	80

805(1)	Pedestrian/animal rider failed to walk/ride along/upon roadway as required	408	40	0	80
805(4)	Animal rider on roadway under the influence of alcohol/controlled substance	802	50	0	100
805(3)	Pedestrian on roadway under the influence of alcohol/controlled substance	803	50	0	100
805(7)	Vehicle endangered/impeded traffic to pick up pedestrian	160	50	0	100
805(8)	Pedestrian/animal rider failed to yield to emergency vehicle	410	\$ 50	0	\$100
109(8)	Road/lead animal on wrong side of highway/roadway	408	40	0	80
109(12)	Parent/guardian knowingly permitted child to violate section 109	901	50	0	100
RECREATIONAL VEHICLES					
109(9)	Used skis/sled/skates/coaster/toy vehicle/on highway/roadway	901	50	0	100
109(12)	Parent/guardian knowingly permitted child to violate section 109	901	50	0	100
RIGHT-OF-WAY VEHICLE/PEDESTRIAN					
604	Failed to yield right-of-way on right turn after stop at red light	370	100	3	200
701	Failed to yield right-of-way as required at uncontrolled intersection	371	100	3	200
703(4)	Failed to yield at yield intersection	372	100	3	200
703(3)	Failed to yield right-of-way when proceeding from stop sign	373	100	3	200
704	Failed to yield right-of-way upon entering highway (when vehicle enters from any place other than a roadway)	374	100	3	200
705	Failed to yield right-of-way to emergency vehicle	375	100	4	200
710(1)	Failed to yield right-of-way to pedestrian upon emerging from alley/driveway/building	378	80	4	160
710(2)	Failed to yield right-of-way to pedestrian upon entering alley/driveway/building	378	80	4	160
712(1)	Failed to yield right-of-way to authorized vehicle/pedestrian in highway work area	382	80	3	160
712(2)	Failed to yield right-of-way to authorized service vehicle displaying flashing yellow light	382	80	3	160
802(1)	Failed to yield right-of-way to pedestrian in crosswalk	376	50	4	100
802(5)(a)	Failed to yield right-of-way to pedestrian at steady walk signal	377	40	4	80
807	Driver failed to exercise due care for pedestrian	381	80	4	160

808	Driver failed to yield right-of-way to disabled person	380	100	6	200
SAFETY BELT/RESTRAINT					
237(2)	Drove vehicle when safety belt not in use	575	\$ 75	0	
237(2)	Drove vehicle when front seat belt passenger not secured by safety belt	960	75	0	
SCHOOL BUS					
707(1)	School bus/commercial vehicle failed to stop at railroad crossing when required	317	100	4	
1903(1)	Failed to stop for stopped school bus displaying flashing red lights	420	SUM	6	
1903(6)(b)	Failed to stop for stopped school bus displaying flashing red light 2 or more times within 5 years	422	SUM	6	
1903(2)	School bus driver failed to actuate visual signals as required	422	SUM	2	
1903(5)	School bus driver failed to stop as required	421	SUM	3	
SINGALING					
903	Failed to signal as required/gave improper signal for (turn/stop/sudden decrease in speed)	433	75	2	\$150
903	Improper use of flashing turn signal	433	75	2	150
608(1)	Failed to use turn signals	436	75	2	150
609	Gave improper hand signal	437	30	2	60
SPEED					
1101(1)	Speeding 1—4 mph over prima facie limit	020	40	1	
1101(1)	Speeding 5—9 mph over prima facie limit	004	80	1	
1101(1)	Speeding 10—19 mph over prima facie limit	005	135	4	
1101(1)	Speeding 20—24 mph over prima facie limit	006	200	6	
1101(1)	Speeding 10—14 mph over prima facie limit COMMERCIAL VEHICLE ONLY	015	135	4	270
1101(1)	Speeding 15—19 mph over prima facie limit COMMERCIAL VEHICLE ONLY	770	135	4	270
1101(1)	Speeding 25—39 mph over prima facie limit	006	SUM	6	
1101(1)	Speeding 40 mph or more over prima facie limit	016	SUM	12	
1101(1)	Speeding 1—4 mph over posted limit in construction/school zone	020	*	0	80
1101(1)	Speeding 5—9 mph over posted limit in construction/school zone	004	*	1	160
1101(1)	Speeding 10—19 mph over posted limit in construction/school zone	005	*	4	\$270
1101(1)	Speeding 20—24 mph over posted limit in construction/school zone	006	*	6	400

1101(1)	Speeding 25—39 mph over posted limit in construction/school zone	006	*	6	SUM
1101(1)	Speeding 40 mph or more over posted limit in construction/school zone	006	*	12	SUM
1101(3)	Exceeded safe speed for conditions (indicate actual speed/safe speed)	007	\$100	3	200
1103(1)	Impeded normal flow of traffic	008	50	3	100
1105(1)	Engaged in an acceleration/speed contest/exhibition	001	SUM	12 (speed contest) 5 (exhibition)	
1105(1)	Aiding or abetting an acceleration/speed contest/exhibition	010	SUM	12 (speed contest) 5 (exhibition)	
1105(2)	Obstructed highway incident to a speed contest	010	SUM	12	
1413	Eluded/attempted to elude a police officer Additional eluding charges in State Statutes	011	SUM	12	
SPILLING – LOADS – DAMAGING HIGHWAY					
512	Damaged highway/highway structure	495	75	0	
1406(1)(a)	Left/deposited/threw foreign matter on highway	490	50	0	100
1406(1)(b)	Left/deposited/threw burning material from motor vehicle	491	SUM	0	
1406(2)	Failed to remove lighted/burning/matter left/deposited/thrown on highway	491	50	0	100
1406(3)	Removed wrecked or damaged vehicle from highway without removing injurious substance from highway	999	50	0	100
1406(4)	Excavated on highway without authorization	492	50	0	100
1406(4)	Constructed on highway without authorization	493	50	0	100
1407(1)	Spilled load on highway/failed to cover load	494	\$ 50	0	\$100
1407.5	Splash guards required	579	50	0	
TOWING					
1405	Person rode in trailer	156	50	0	100
506(2)	Failed to use white flag on tow chain/cable/rope	471	50	0	
506(3)	Failed to use safety chain or cable on towed vehicle	472	50	0	
506(1)	Unlawful drawbar	473	50	0	
1108(2)	Unlawful following by vehicle drawing another vehicle	165	100	4	200

TRAFFIC CONTROLS					
603	Failed to observe/disregarded traffic control device	300	100	4	200
604	Failed to obey lane – use control signal	220	100	4	200
604	Failed to obey traffic control signal	304	100	4	200
604	Failed to stop for traffic control signal at place required	305	100	4	200
605	Failed to obey flashing red/yellow signal light as required	310	75	4	150
606	Displayed unauthorized sign/signal/markings device	311	40	0	80
607	Removed/interfered with/altered/defaced/knocked down/injured traffic control sign/device or attempted to do so	314	50	0	100
612	Failed to proceed with caution/as required at inoperable or malfunctioning control device	320	75	4	150
703	Disregarded/failed to stop as required at stop sign at through highway	319	75	4	150
706	Disregarded railroad signal/crossing gate/barricade/flagman	315	75	4	
706(1)	Disregarded stop sign at railroad crossing	315	75	4	
707	School bus/commercial vehicle failed to stop at railroad crossing when required	317	75	4	
708	Unlawful moving of heavy equipment across railroad grade crossing	318	50	0	
712(3)	Disregarded instructions/signals of flag – person in highway work area	914	75	3	150
806	Drove vehicle through safety zone	145	75	3	150
TURNS					
603	Made turn where prohibited by traffic control device	300	\$100	4	\$200
604	Made right/left turn on red light where prohibited by sign	271	100	4	200
702	Failed to yield right-of-way when turning left in front of approaching traffic	278	75	3	150
901(1)(a)	Made right hand turn from wrong position/lane	274	75	3	150
901(1)(b)	Made left turn from wrong position/lane	273	75	3	150
901(1)(c)	Made improper left turn at multi-turn intersection	280	75	3	150
901(2)	Failed to turn as required by traffic control device	276	75	3	150
901(2)	Failed to turn from turn-only lane	276	75	3	150
902(1)	Made U-turn on hill or curve	270	75	3	150
902(2)	Made unsafe U-turn at intersection	270	75	3	150

902(3)	Made U-turn where prohibited	270	75	3	150
1010	Improper turn/turn where prohibited across median of divided highway	279	75	3	150
WRONG WAY – WRONG SIDE					
1001(1)	Failed to drive vehicle on right side of road/in right hand lane as required	250	75	4	150
1001(b)	Failed to yield right-of-way when forced to drive on left side of road	251	75	4	150
1002	Failed to yield one-half of the roadway to oncoming vehicle	190	100	4	200
1006(1)	Drove vehicle wrong way on one-way roadway	254	75	3	150

(Ord. 642 § 1, 2012)

**Yampa Valley Regional Airport Area
Schedule of Violations**

<i>Violation</i>	<i>H.M.T.C. Section</i>	<i>Fine Amount</i>
Overtime parking	1204(3)(b)	\$ 85
Parked where prohibited	1204(3)(b)	85
No overnight parking	1204(3)(b)	85
Obstruction of snow plow maintenance	1204(3)(b)	85
Police only zone	1204(3)(b)	85
15 feet of fire hydrant	1204(2)(b)	85
Handicapped zone	1208(5)	200
Parked in roadway	1202	85
Parked on a crosswalk	1204(1)(c)	100

Chapter 10.05

**Use of Snowmobiles, Golf Carts,
All-Terrain Vehicles, Utility-Type Vehicles and Off-Highway Vehicles**

- 10.05.010 Definitions.**
- 10.05.020 Permitted Use.**
- 10.05.030 Registration.**
- 10.05.040 Requirements.**
- 10.05.050 Responsibilities and Safety.**
- 10.05.060 Restrictions.**
- 10.05.070 Hours of Operation.**

- 10.05.080 Yield Right-of-Way.**
- 10.05.090 Lighting.**
- 10.05.100 Penalties, Violations and Fines.**
- 10.05.110 Limitation of Liability.**

10.05.010 Definitions.

As used in this Chapter:

All-terrain vehicle type I (ATV) means any motor vehicle fifty (50) inches or less in width, having an unladen dry weight of eight hundred (800) pounds or less, traveling on four (4) or more low pressure tires, having a seat designed to be straddled by the operator, having a seat height of a minimum of twenty-four (24) inches when measured at the forward edge of the seat bottom, with handlebars for control and designed for or capable of traveling over unimproved terrain.

Golf cart means any recreational vehicle primarily designed to carry one (1) or more people, and which may also carry golf equipment, traveling on four (4) or more low pressure tires, whose top speed is not greater than twenty-five (25) miles per hour, and having side-by-side seating with a steering wheel for control.

Insured means the same insurance requirements needed to operate a street legal motorcycle on highways in the State.

Off-highway vehicle (OHV) refers specifically to the vehicles described herein as an ATV, UTV, golf cart and/or snowmobile that has not been otherwise modified from another specific form in order to conform to one (1) of the aforementioned descriptions.

Operator means the person who is in actual physical control of a vehicle.

Registration means the process by which appointed officials of the Town can inspect, establish clear ownership, identify the vehicle, confirm that a vehicle conforms to all requirements set forth herein and, upon the satisfactory completion of all requirements, the issuance and acquisition of official documents and identifying insignia (herein stickers).

Snowmobile means any motor-driven vehicle designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated.

Town traffic laws mean any traffic codes adopted by the Town.

Utility-type vehicle (UTV) means any recreational vehicle designed for and capable of traveling over unimproved terrain: traveling on four (4) or more low pressure tires, having a width of thirty (30) to seventy (70) inches, having an unladen dry weight of two thousand two hundred (2,200) pounds or less, having a seat height of twenty-five (25) to forty (40) inches when measured at the forward edge of the seat bottom and having side-by-side seating with a steering wheel for control.

Valid driver's license means any current, legal license not subject to revocation or suspension. (Ord. 658 § 2, 2013)

10.05.020 Permitted Use.

A properly registered and operated OHV may be operated on all public streets and alleys within the limits of the Town except Jefferson Avenue (Hwy 40). (Ord. 658 § 2, 2013)

10.05.030 Registration.

A. Owners wishing to register their vehicle with the Town may do so at the Police Department.

B. Registration with the Town will be completed only when the vehicle being registered meets the criteria set forth by the Town in accordance with this Chapter 10.05 and the appropriate registration fee has been paid.

C. Owners must provide the following:

1. Bill of sale, title of vehicle or proof of ownership;
2. Proof of current insurance (which must meet requirements of motorcycles licensed by the State to travel on state highways); and
3. Valid driver's license (a valid driver's license will be required to operate an OHV on the public streets and alleys of the Town).

D. Owners must display a valid annual Town registration sticker in a prominent and visible place on a registered OHV to operate on the public streets and alleys of the Town. (Ord. 658 § 2, 2013)

10.05.040 Requirements.

A. Any OHV that operates on any public street within the limits of the Town must have the following listed equipment installed and such equipment must be operable:

1. Headlamp;
2. Tail lamp and reflector;
3. Stop lamps on the rear;
4. A horn or other audible warning device;
5. A muffler and emissions system;
6. Rear view mirror;
7. A windshield or eye protection for the operator;
8. For side-by-side vehicles, a seat belt is required for each occupant;
9. Anyone under the age of sixteen (16) who is riding as a passenger on an OHV must wear a helmet; and

10. A footrest and hand hold for each passenger.

B. Any operator of an OHV, operating on any public street within the limits of the Town must have in their possession:

1. A valid driver's license;
2. Proof of current insurance for the OHV in operation (the operator must maintain a minimum of liability insurance coverage); and
3. Documentation of registration as described in Subsection 10.05.030.D. above. (Ord. 658 § 2, 2013)

10.05.050 Responsibilities and Safety.

A. All OHVs, operators thereof and passengers therein, shall accept and comply with all of the following responsibilities:

1. The registered owner of the OHV shall be responsible for the operation of that vehicle;
2. OHV operators shall obey all state and Town traffic laws;
3. The operator of any OHV must comply with all Town, County and State laws; and
4. The operator of any OHV may not exceed the posted speed limit.

B. All OHVs, operators thereof and passengers therein, shall accept and comply with all of the following safety requirements:

1. Use of an OHV is limited to one (1) person unless the vehicle is designed for two (2) or more riders and there are foot rests and hand holds for each rider, in which event more than one (1) person may use the OHV at the same time;
2. Side-by-side or specifically designed, multiple passenger Utility-Type Vehicles (UTVs) must be equipped with seatbelts for each occupant; and
3. All safety equipment on any OHV currently or originally installed by the manufacturer must be in use during operation. (Ord. 658 § 2, 2013)

10.05.060 Restrictions.

A. No three-wheel ATV and/or OHV type vehicles are allowed on any public street within the limits of the Town.

B. Motor vehicles that have been modified to be used as ATVs, golf carts, snowmobiles or UTVs are not permitted. (Ord. 658 § 2, 2013)

10.05.070 Hours of Operation.

An OHV may be operated within the limits of the Town between the hours of 4:00 a.m. and 10:30 p.m. (Ord. 658 § 2, 2013)

10.05.080 Yield Right-of-Way.

OHVs shall yield right-of-way to all other vehicular and pedestrian traffic when operated on any public streets within the limits of the Town. (Ord. 658 § 2, 2013)

10.05.090 Lighting.

A minimum of one (1) headlight and one (1) tail light shall be on at all times while OHVs are being operated on any public streets within the limits of the Town. (Ord. 658 § 2, 2013)

10.05.100 Penalties, Violations and Fines.

A. The penalty for violation of this Chapter shall be in accordance with the Penalty Assessment and Schedule as specified in Ordinance Number 642 as found in Title 10 of this Code, as may be amended.

B. Any persons in violation of any Town or State traffic laws will be cited and assessed fines that are applicable to said violations. The Police Department or any other legal policing authority is given all rights to write citations to those individuals breaking laws as outlined in this Chapter.

C. The Town shall revoke the registration of any OHV whose registered owner is convicted of three (3) or more violations of any Town or State traffic laws within one (1) year. (Ord. 658 § 2, 2013)

10.05.110 Limitation of Liability.

Nothing in this Chapter shall be construed as an assumption of any duty of care by the Town with respect to, or the assumption of any liability by the Town for any injuries to persons or property which may result from the operation of an ATV, golf cart, snowmobile, UTV, otherwise referred to as an OHV, on the streets within the Town limits. (Ord. 658 § 2, 2013)

Chapter 10.06

Miscellaneous Traffic Offenses

10.06.010 Mandatory Use of Safety Belt Systems.

10.06.020 Violation; Penalty.

10.06.030 Use of Child Restraints in Motor Vehicles.

10.06.040 Violation; Penalty.

10.06.010 Mandatory Use of Safety Belt Systems.

Unless exempted pursuant to subsection B of this section, every driver of and every front seat passenger in a motor vehicle equipped with a safety belt system shall wear a fastened safety belt while the motor vehicle is being operated on a street or highway in this Town.

A. Definitions, as used in this section:

1. "Motor vehicle" means a self-propelled vehicle intended primarily for use and operation on the public highways, including passenger cars, station wagons, vans, taxicabs, ambulances, motor homes and pickup trucks. The term does not include motorcycles, motorscooters, motor bicycles, motorized bicycles, passenger buses, school buses, farm tractors or implements of husbandry designed primarily or exclusively for use in agricultural operations.

2. "Safety belt system" means a system utilizing a lap belt, shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, which system conforms to federal motor vehicle safety standards.

B. Exemptions. The requirements of this section do not apply to:

1. A child required by Section 10.06.030 of this chapter to be restrained by a child restraint system;

2. A member of an ambulance team, other than the driver, while involved in patient care;

3. A police officer, while performing official duties, so long as the performance of said duties is in accordance with rules and regulations applicable to said officer which are at least as restrictive as the requirements of this section, and which only provide exceptions necessary to protect the officer;

4. A person with a physically or psychologically disabling condition whose physical or psychological disability prevents appropriate restraint by a safety belt system if such person possesses a written statement by a physician certifying the condition, as well as stating the reason why such restraint is inappropriate;

5. A person driving or riding in a motor vehicle not equipped with a safety belt system due to the fact that federal law does not require such vehicles to be equipped with a safety belt system;

6. A rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier; and

7. Any person operating a motor vehicle for commercial or residential delivery or pickup service; except that such person shall be required to wear a fastened safety belt during the time period prior to the first delivery or pickup of the day and during the time period following the last delivery or pickup of the day.

C. Citation in Conjunction with another Traffic Violation. No driver in a motor vehicle shall be cited for a violation of this section unless such driver was stopped by a police officer for an alleged violation of other state or municipal traffic laws.

D. Permitted Testimony.

1. Testimony by a law enforcement officer that he observed the person charged operating a motor vehicle while said operator or passenger was in violation of the requirement of the section; or

2. Evidence that the driver removed the safety belts or knowingly drove a vehicle from which the safety belts had been removed. (Ord. 409 (part), 1993).

10.06.020 Violation; Penalty.

Any person who operates a motor vehicle while he or any passenger is in violation of the requirements of Section 10.06.010 shall be deemed guilty of a misdemeanor, punishable as specified in the Model Traffic Code (see section 10.04.040 of this Title, Appendix: Schedule IV — Sec. 1701, Penalty Assessment & Schedule. (Ord. 409 (part), 1993).

10.06.030 Use of Child Restraints in Motor Vehicles.

Unless exempted pursuant to subsection B of this section, every child who is under four (4) years of age and weighs under forty (40) pounds, being transported in this municipality in a privately owned noncommercial passenger vehicle which is driven by a resident of this state, shall be provided with a child restraint system suitable for the child's size and shall be properly fastened into such restraint system which is in a seating position which is equipped with a safety belt or other means to secure said system according to the manufacturer's instructions. It is the responsibility of the driver transporting children subject to the requirements of this section, to ensure that such children are provided with and that they properly use a child restraint system.

A. Definitions, as used in this Section:

1. "Child restraint system" means any device which is designed to protect, hold or restrain a child in a privately owned noncommercial passenger vehicle in such a way as to prevent or minimize injury to the child in the event of a motor vehicle accident and which conforms to all applicable federal motor vehicle safety standards.

2. "Safety belt" means a lap belt, a shoulder belt, or any other or combination of belts installed in a motor vehicle to restrain drivers and passengers, except any such belt which is physically a part of a child restraint system. Safety belt includes the anchorages, the buckles and all other equipment directly related to the operation of safety belts.

3. "Seating position" means any motor vehicle interior space intended by the motor vehicle manufacturer to provide seating accommodation while the motor vehicle is in motion.

B. Exemption. The requirement contained in this section shall not apply to a child who is being transported in a motor vehicle as a result of a medical emergency.

C. Nonconforming Equipment. No person shall use a safety belt or child restraint system for children four (4) years of age and under in a motor vehicle unless it conforms to all applicable federal motor vehicle safety standards. (Ord. 409 (part), 1993).

10.06.040 Violation; Penalty.

Any person who violates any provision of section 10.06.030 shall be deemed guilty of a misdemeanor, punishable as specified in the Model Traffic Code (see section 10.04.040 of this Title, Appendix: Schedule IV – Sec. 1701, Penalty Assessment & Schedule. The fine may be waived or partially waived, at the discretion of the municipal court judge, if the driver presents the municipal court with satisfactory evidence of the acquisition, purchase or rental of an approved child restraint system by the time of the court appearance. (Ord. 409 (part), 1993).

Chapter 10.08

Parking

10.08.010 Definition.

10.08.020 Regulation.

10.08.030 Winter Parking Restrictions.

10.08.040 Providing for Towing of Vehicles During Winter Parking Restrictions.

10.08.010 Definition.

"Motor Vehicle," as used in this Chapter, includes all motor-propelled bicycles, tricycles, automobiles, auto trucks, trailers and all motor driven vehicles of whatsoever kind. (Ord. 90 § 1, 1947)

10.08.020 Regulation.

No motor vehicle shall be parked for more than twenty-four (24) hours on the following streets and avenues of the Town: on Jefferson Avenue between its intersection with Spruce Street on the east and its intersection of Chestnut Street on the west; and on Walnut Street between its intersection of Lincoln Avenue on the north and its intersection with Washington Avenue on the south. (Ord. 90 § 2, 1947)

10.08.030 Winter Parking Restrictions.

There is added to Article I, Part 12 of the adopted Model Traffic Code the following:

"1212. Winter Parking Restrictions. During the months of November through April of each year between the hours of 12:00 o'clock midnight and 7:00 o'clock a.m., it shall be unlawful for any person, except a physician or other person on an emergency call, to park a vehicle on a public street, public highway or public alley in or within the Town of Hayden."

(Ord. 624 § 1, 2009)

10.08.040 Providing for Towing of Vehicles During Winter Parking Restrictions.

Whenever any vehicle shall be parked on a public street, public highway or public alley located within or under the control of the Town during the winter parking restrictions time period, the Town

Board of Trustees, or its delegated representative, may order the towing of said vehicle with all towing costs to be charged to the legal owner of said vehicle. (Ord. 617 § 1, 2009)