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ARTICLE 1. DEFINITIONS

SEC. 18.01.001. TERMS DEFINED.

Whenever in this chapter the following terms are used, they shall have the meaning respectively ascribed to them in this section:

**ACCIDENT** means a collision between a vehicle and another vehicle, railroad train, person, or stationary object, or the overturn or upset of a vehicle which results in property damage, personal injury, or death; or an entry into or emerging from a moving vehicle by a person which results in personal injury or death to such person.

**ACCIDENT REDUCTION ZONE** means an arterial street segment so identified by engineering study of traffic volume, speed and accidents as susceptible to reduction of accidents by means of concentrated traffic enforcement and which is so marked or indicated by adequate signs as to be plainly visible at all times while designated as an Accident Reduction Zone.

**ALLEY** means a minor, permanent, public service-way that is used primarily for vehicular-service access to the back or the side of properties otherwise abutting on public streets.

**ALL TERRAIN VEHICLE** means any motorized vehicle manufactured exclusively for off-highway use which is fifty inches (50") or less in width, with an unladen dry weight of six hundred pounds (600#) or less, traveling on three (3) or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control.

**BICYCLE** means every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, except scooters and similar devices.

**BUSINESS DISTRICT** means the territory contiguous to a street when fifty per cent (50%) or more of the frontage thereon for a distance of three hundred feet (300') or more is occupied by buildings in use for business.

**BUS ZONE** means a portion of a roadway adjacent to the curb which has been marked by appropriate signs or painted markings, and shall have the primary purpose of standing by buses while loading and unloading passengers.

**CENTRAL TRAFFIC DISTRICT** means the area of the city bounded by and including Truman Road on the north, Noland Road on the east, Walnut Street on the south, and Pleasant Avenue on the west.

**CHURCH BUS** means a motor vehicle designed to transport more than ten (10) persons, and owned or operated by, and used to transport persons to churches, mosques, synagogues, temples or other houses of worship.

**CITY** means the City of Independence, Missouri.

**COMMERCIAL DRIVERS LICENSE** means a license issued by a state to an individual authorizing the individual to operate a commercial motor vehicle.

**COMMERCIAL MOTOR VEHICLE** means a motor vehicle designed or used to transport passengers or property:

1. If the vehicle has a gross combination weight rating of twenty-six thousand one (26,001#) or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds (10,001#) or more;

2. If the vehicle has a gross vehicle weight rating of twenty-six thousand one (26,001<sup>#</sup>) or more pounds or such lesser rating as determined by Federal regulations;
3. If the vehicle is designed to transport more than fifteen (15) passengers, including the driver; or
4. If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U. S. C. 1801 et seq.).
5. If the vehicle is transporting passengers or property for hire.

CROSSWALK means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs, or in the absence of curbs from the edges of the traversable roadway; or pedestrian crossing by lines or other markings on the surface.

CURB means the lateral boundaries of a roadway, whether or not marked by curbing.

DAYTIME means from thirty (30) minutes before sunrise until thirty (30) minutes after sunset.

DIRECTOR means the Director of Public Works, or a designee, unless stated otherwise herein,

DRIVER means every person who drives or is in actual physical control of a vehicle or railroad train.

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE means a two, three or four wheeled device designed to transport only one person, with an electric propulsion system with an average power of seven hundred fifty watts (one horse power), whose maximum speed on a paved level surface, when powered solely by such propulsion system while ridden by an operator who weighs one hundred seventy pounds, is less than twenty miles per hour.

EMERGENCY VEHICLE means a vehicle operated by the State Highway Patrol, the State water patrol of a State park ranger, those vehicles operated by enforcement personnel of the division of motor carrier and railroad safety of the State department of economic development, police or fire department, sheriff, constable or deputy sheriff, Federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer, coroner, or by a privately owned emergency vehicle company; a vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs; motor vehicles and equipment operated by members of an organized fire department, ambulance association or rescue squad, whether paid or volunteer while responding to or at the scene of a fire or ambulance call; any wrecker or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service; any vehicle transporting equipment to extricate human being from the wreckage of a motor vehicle, any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to State law; any vehicle operated by an authorized employee of the State department of corrections, who as a part of the employees official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to a mutual aid call from another criminal justice agency, or is accompanying an ambulance which is transporting an offender to a medical facility; any vehicle designated to perform hazardous substance emergency functions established pursuant to State law.

ENGLEWOOD BUSINESS DISTRICT means the area of the City bounded by the rear property lines of those properties fronting on either side of Winner Road, between Northern Boulevard on the west and Sterling Avenue on the east.

**EXPRESSWAY** means a street or highway especially designed for through traffic, which may include medial strips or traffic separators to set apart vehicles proceeding in the same or opposite directions, providing access connections with selected public roads or streets at grade or by means of traffic interchanges and on which channelized directional travel and traffic control measures are used to expedite the safe movement of traffic, and in respect to which the owners of abutting properties and lands may have only limited or restricted right of easement or access. The term "expressway" shall include ramps and connecting roads located on designated expressway rights-of-way.

**FAIRMOUNT BUSINESS DISTRICT** means the area of the City bounded by the rear property lines on those properties fronting on either side of U.S. 24 Highway (Independence Avenue), between Huttig Avenue and Cedar Street Cutoff on the west and Hardy Avenue on the east.

**FARM TRACTOR** means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

**FREEWAY** means a highway or street especially designed for through traffic by prohibiting crossings thereof at grade and providing access connections thereto from selected public roads and streets by means of traffic interchanges, and upon which conflicting traffic movements are avoided by grade separations and channelized directional travel, and in respect to which the owners of abutting lands and properties shall have no right or easement of access to or from their abutting lands or properties. The term "freeway" shall include ramps and connecting roads located on freeway rights-of-way.

**INTERSECTION** means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then of the lateral boundary lines of two or more roadways which join one another at an angle, whether or not one such roadway crosses the other.

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

**LIMITED-ACCESS ROADWAY** means every street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or roadway.

**LINES, BARRIER** means a continuous double yellow longitudinal line which, when marked upon the surface of a roadway, indicates that all traffic shall keep to the right, and passing is prohibited in both directions.

**LINES, CENTER** means a continuous longitudinal line marked upon the surface of a roadway dividing traffic moving in opposite direction.

**LINES, LANE** means a broken longitudinal line marked upon the surface of a roadway separating two (2) traffic lanes moving in the same direction.

**LITTER** is glass, bottles, wire, nails, tacks, cans, paint, wastepaper, yard waste, dead animals, garbage, trash, refuse or rubbish of any kind, nature or description and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, and welfare.

**LOADING ZONE** means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**MAYWOOD BUSINESS DISTRICT** means the area of the City bounded by the rear property lines of those properties fronting on either side of Truman Road, between Cedar Avenue on the west and Hardy Avenue on the east.

**MOTORCYCLE** means a motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

**MOTORIZED BICYCLE** means any two (2) wheeled or three (3) wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour (30 mph) on level ground. The term motor bike as used in this chapter shall mean a motorized bicycle.

**MOTOR SCOOTER** means any gasoline or electrical powered device designed to be ridden in or on that is not a motor vehicle, motorcycle, motorized bicycle, all-terrain vehicle or electric personal assistive mobility device.

**MOTOR VEHICLE** means any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles.

**NIGHTTIME** means-from thirty (30) minutes after sunset until thirty (30) minutes before sunrise.

**NOLAND ROAD BUSINESS DISTRICT** means the area of the City bounded by the rear property lines of those properties fronting on either side of Noland Road, between U.S. 40 Highway on the south and 23rd Street on the north.

**OFFICIAL TIME STANDARD** means standard time or daylight savings time, as may be in current use in this City.

**OFFICIAL TRAFFIC-CONTROL DEVICES** means all signs, signals, buttons, markings, and devices not inconsistent with this chapter, placed or erected by authority of the Director for the purpose of regulating, warning, or guiding traffic.

**OPERATOR** means every person who is in actual physical control of a motor vehicle.

**ONE-WAY STREETS** means any street upon which all vehicular and bicycle traffic is restrained to movement in one (1) direction only.

**OWNER** means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter. The operation or use of a motor vehicle in violation of the provisions of this chapter shall be prima facie evidence that said motor vehicle was at the time of such violation controlled, operated, and used by the owner thereof.

**PARKING**, when prohibited, means the standing of a vehicle, whether occupied or not, except a vehicle temporarily standing for the purpose of and while actually engaged in loading or unloading merchandise or passengers, but such standing not to exceed fifteen (15) minutes.

**PARKWAY** means that area bounded by the roadway pavement edge and the roadway right-of-way line.

**PASSENGER ZONE** means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

**PEDESTRIAN** means any person afoot.

**PERSON** means every natural person, firm, copartnership, association, or corporation.

**POLICE OFFICER** means every officer of the Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**POWER WHEELCHAIR OR SCOOTER** means a two, three or four wheeled devices powered by an on board rechargeable battery and intended to transport one person.

**PRIVATE ROAD OR DRIVEWAY** means every way or place in private ownership and use for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**PUBLIC BUILDING** means a building used or owned by the City, Jackson County, any legally constituted park district, the United States Government, or the State of Missouri, or any legally constituted subdivision thereof.

**PUBLIC HOLIDAYS.** where referred to in this chapter, shall be New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

**RAILROADS** means a carrier of persons or property upon cars operated upon stationary rails.

**RAILROAD TRAIN** means a steam engine, electric or other motor with or without cars coupled thereto, operated upon rails.

**RESIDENCE DISTRICT** means the territory contiguous to a street not comprising a business district, when the frontage on such street for a distance of three hundred feet (300') or more is mainly occupied by dwellings and buildings in use for residences.

**RIGHT-OF-WAY** means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision, unless one grants precedence to the other.

**ROADWAY** means that portion of a street between the regularly established curb lines, or that part improved and intended to be used for vehicular travel.

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

**SCHOOL BUS** means a motor vehicle either publicly or privately owned, used to transport students to and from school, or to transport students for educational purposes.

**SIDEWALK** means that portion of a street between the curb line or edge of traversable roadway and the adjacent property lines intended for the use of pedestrians.

**STANDING, when prohibited,** means the standing of a vehicle, whether occupied or not, upon a public street or other public way, otherwise than temporarily in obedience to traffic regulations or traffic signs or signals, or when discharging a passenger or picking up a waiting passenger.

STOP, when required, means complete cessation of movement.

STOPPING, when prohibited, shall mean the complete cessation of movement, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

STREET means every way set apart for public travel, except footpaths and alleys.

TAXICAB STAND means that portion of a public street approved for the standing of taxicabs and so marked.

THROUGH STREETS means every street or portion thereof at the entrances to which vehicular traffic from intersecting streets is required by law to stop or obey official traffic-control devices before entering or crossing the same, when stop signs or other official traffic-control devices are erected as provided in this chapter.

TRAFFIC means pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC-CONTROL SIGNAL means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

TRAILER means every vehicle without motive power designed for carrying persons or property and being drawn by a motor vehicle, except those running exclusively on tracks.

TRUCK means every motor vehicle designed, used, or maintained for the transportation of property and having a gross vehicle weight in excess of eighteen thousand pounds (18,000#).

TRUCK, DEVIATING means a truck which leaves and departs from a truck route while traveling inside the City limits.

TRUCK ROUTE means a way over certain streets as designated herein, over and along which trucks, with a gross licensed vehicle weight in excess of eighteen thousand pounds (18,000#) must operate.

VEHICLE means any mechanical device on wheels, designed primarily for use on streets or highways, except bicycles, vehicles propelled or drawn by human power, or vehicles used exclusively on fixed tracks or power wheelchairs or scooters.

YIELD RIGHT-OF-WAY means yielding to other driver or pedestrian the privilege of immediate use of the street.

SEC. 18.01.002 - 18.01.999 RESERVED.

ARTICLE 2. TRAFFIC ADMINISTRATION

SEC. 18.02.001. AUTHORITY OF DIRECTOR OF PUBLIC WORKS TO MAKE REGULATIONS.

A. The Director is hereby authorized and empowered to establish regulations governing City-wide traffic operations in accordance with Federally prescribed standards for traffic control and public safety, which regulations shall remain in effect until repealed by the Director. These regulations shall be maintained in the offices of the City Clerk, Public Works Director, and the Police Chief. Regulations shall be available for public inspection during normal business hours.

B. The Director is hereby authorized and empowered to make regulations governing traffic in case of emergency or special conditions that public safety, convenience, and the expedition of traffic may demand, which regulations shall be effective for the period of the duration of such emergency or special condition, and no longer.

C. The Director is hereby authorized and empowered to establish such regulations that will provide for uniformity of regulation between places of similar traffic conditions and for the purpose of affording tests as to the remedial effect of such regulations at such places, upon finding that public safety, convenience, and the expedition of traffic demand their application in such manner and at such places as may conform to guidelines prescribed in Federal standard and by other generally accepted traffic engineering practices. Regulations shall include:

1. Placement of official traffic control devices.
2. Designated safety zones.
3. Designated intersections where stopping or reduction of speed is required.
4. Designated bus zones.
5. Designated locations of passenger and loading zones and taxicab stands.
6. Designated one-way streets and alleys.
7. Regulated left and right-hand turns of vehicles entering or leaving any street intersection.
8. Designated parking districts and the time limit for parking therein.
9. Designated angle parking locations.
10. Designated streets upon which parking is regulated under any other Articles of this chapter.
11. Designated streets as "through streets" requiring stops before entering the same.
12. Designated streets and intersections where speeds other than basic speed limits shall apply.
13. Designated streets and sections of streets where passing shall be prohibited.
14. Designated sections of streets of limited-access roadways where nonmotorized traffic shall be prohibited.
15. Designated intersections where the driver of a vehicle entering from one street shall yield to drivers from other streets.

16. Designated traffic lanes upon the roadway of any street for the purpose of channeling or regulating the flow of traffic.

17. Designated temporary construction zones regulating speed limits, required stops, lane usage and turns.

18. Designated temporary accident reduction zones for periods of up to six months with adequate signs indicating the zone location and penalties for violation.

D. The Director shall issue Letter of Official Notice of all permanent and emergency traffic regulations to City Managers Office, Chief of Police, and City Clerk upon approval of the regulation. The regulations shall become effective for enforcement at the time the Director issues the Letter of Official Notice

E. Lists of locations governed by traffic regulations shall be maintained in the offices of the City Clerk, Public Works Director, and the Police Chief. Lists of regulated locations shall be available for public inspection during normal business hours.

#### SEC. 18.02.002. AUTHORITY OF DIRECTOR TO POST SIGNS.

The Director is hereby authorized to place and maintain traffic control signs, signals, markings, lines, barriers, and devices when and as required by the regulations to make effective the provisions of those regulations.

#### SEC. 18.02.003. AUTHORITY TO CLOSE STREETS FOR CONSTRUCTION, EMERGENCY, AND PUBLIC EVENTS.

A. The Director shall have authority to issue a Right of Way permit, to close any street, section of any street, or right-of-way when in the Director's opinion the closing of such street is necessary for construction operations, or for the protection of public health or safety, or other special condition. No street, right-of-way, or portion thereof, shall be closed to traffic for any purpose excepting as stated below for emergencies without first obtaining a permit from the Director. The Police Department and other emergency facilities shall be promptly notified of any street closure work performed herein on any City street.

B. Fees shall be charged for permits to close streets or public right-of-way as follows:

1. No fee shall be charged for a permit where at least one lane of the street is kept open to traffic at all times throughout the work and the duration of the permit is no more than one day.

2. All other street closures will require issuance of a Right of Way permit in accordance with the Schedule of Fees.

C. For any permit greater than twenty-four (24) hours in length, the Director shall have the authority to revoke any permit wherein it is found to be deleterious to public safety, against public interest to have continuation of the street closure, or improper or unlawful activities are found in association with the street closure. No rebate of the permit fee shall be issued.

D. On the roadway of any street it shall be unlawful, without a permit specifying the particular activity, to do the following:

1. Leave any paving material, stone, earth or other material removed from street cuts, openings or excavations on any street.

2. Do or perform any street repair, sign installation or street cleaning work or any operation in the excavation or backfilling of any cut in the roadway outside the limitations defined in the permit for allowable time and date to conduct the work.



3. Conduct any operation or station any equipment or open any manhole or entrance to underground utilities outside the limitations defined in the permit for allowable time and date to conduct the work.
4. Make or leave any incomplete cut or backfill or to place any material, equipment, barricades or other obstruction in the roadway outside the limitations defined in the permit for allowable time and date to conduct the work; provided however, that a cut may be left incomplete if it is properly



protected in accordance with the Public Works Department manual. The permittee shall be liable and responsible for the replacement of backfill and pavement removed to effect installation and repair of facilities which underlie any public street, road, boulevard, alley, drive or public passageway, such replacements to be in strict conformity with standards, specifications, codes, requirements and guarantees as set forth in city ordinances, charter regulations and departmental regulations. Until a complete pavement has been replaced, the person to whom the street cut permit was issued shall be responsible for maintaining any necessary lights, barricades, or plates and maintaining backfill to pavement level to eliminate tire damage and traffic hazard.

5. Do or perform any work or operation in the excavation or backfilling of any cut or to conduct any operation or to place any material, equipment, barricades or other obstructions or to open any manhole or entrance to underground utilities in such a manner as to necessitate the closing of more than one lane of moving traffic during any period of the day.

E. In those instances where excavations or other operations are of such an extent that they are impractical to conduct under the limitations imposed by this section or if operations conducted in excess of these limitations would reduce the overall interference with the movement of traffic, then the Director may issue a special permit authorizing such operations and may require that this permit be kept at the site of work and shown upon request to police or City employees.

F. The Director is empowered to require that any operation which seriously interferes with the movement of traffic on any street be conducted on a continuous basis or that the operation be discontinued in order that interference with the proper and safe movement of traffic may be eliminated at the earliest possible time.

G. Notwithstanding the provisions of this section, in the event of an emergency caused by a telephone or power line break, sewer or water line break, or gas line break affecting service or resulting in major failure of service, where it is essential for the protection of public property, health and safety, it shall be permissible to conduct excavation, open roadway of any street in the City during any period of the day, provided that the work is pursued continuously until the period of emergency has terminated, whereupon the provisions of this section shall again become effective. The Police Department and other emergency facilities shall be promptly notified of any emergency work performed herein on any City street.

H. Notwithstanding the provisions indicated above, the closing of any lane of Noland Road between U.S. 24 Highway and U.S. 40 Highway shall be permitted only from 10:00 p.m. to 7:00 a.m., six days a week and all day Sunday, except in an emergency.

I. The Director shall have authority to allow street closure in conjunction with block parties, fairs, festivals, and other similar public events. There shall be no charge for street closures associated with these events.

#### SEC. 18.02.004. AUTHORITY TO REQUIRE STREET CLOSURE PERMITS FOR DUMPSTERS.

The Director shall have the authority to require street closure permits and the associated fee for commercial waste receptacle dumpsters which are to be placed in the street or right-of-way. Lighted barricades shall be required at each end of the dumpster to provide for nighttime visibility of the dumpster. Dumpsters which are placed without such street closure permits may be removed by the Director.

#### SEC. 18.02.005. DIRECTOR TO APPROVE ROUTE AND HOURS OF SPECIAL EQUIPMENT OR LOADS.

A. The Director shall have authority to issue or deny a permit for vehicles and loads when the height, width, length, or weight of the vehicle, its load, or equipment exceed the maximum dimensions specified hereto: a) Width in excess of one hundred two inches (102"); b) height in excess of thirteen feet six inches (13'6"); c) length in excess of forty feet (40'); d) weight in excess of twenty thousand pounds (20,000<sup>#</sup>) per single axle or thirty-four thousand pounds (34,000<sup>#</sup>) per tandem axle. The permit shall specify the route and time of the movement.

B. The Director is hereby authorized to direct fees for the permits to be paid to the City treasury. Fees shall be charged in accordance with the Schedule of Fees.

**SEC. 18.02.006. AUTHORITY TO PLACE TURNING MARKERS.**

The Director is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

**SEC. 18.02.007. AUTHORITY FOR MARKING OF ROUTES.**

The Director is authorized to cause traffic routes through the City or to particular locations to be marked by appropriate signs.

**SEC. 18.02.008. AUTHORITY TO ISSUE SIGNS UPON SPECIFIC CITIZEN REQUEST.**

A. The Director is hereby authorized to provide driver information signs for residences with special needs where the resident submits a request in writing to have signs installed on the block where the special needs citizen resides. The written request from the resident must be accompanied by a written request from the attending physician. The information signs shall be maintained by the City for three (3) years, after which the signs shall be removed, unless the resident submits a request in writing to have the signs remain. There is no fee for the special needs driver information signs.

B. The Director is hereby authorized to sell and direct fees to be paid to the City treasury for specific in-stock driver information signs in response to written requests by residents. In-stock signs include Children Playing and Neighborhood Watch signs. Fees shall be charged in accordance with policies set by the Finance Department. Maintenance of the purchased signs will not be provided by the City.

**SEC. 18.02.009. LOADING ZONE.**

A. The Director is hereby authorized to establish loading zones for the prohibition of parking in front of the entrance to any building or in front of the property upon which the entrance of any building is located, upon receipt of written application from the owner, agent, or lessee of said building. The Director is authorized to initiate investigation, as deemed appropriate, to determine if the loading or unloading of merchandise at the entrance indicated is necessary for the relief of traffic congestion and for the orderly conduct of the business of the applicant and that such loading or unloading will not unduly interfere with safe and efficient movement of traffic. Upon approval of the loading zone by the Director, signs shall be installed. There is no fee for the loading zone signs.

B. The Director is hereby authorized to repeal a loading zone where previously established, if found by investigation, complaint, owner request, or other action that the loading zone is no longer needed or is found to interfere with the safe and efficient movement of traffic.

**SEC. 18.02.010. DIRECTOR TO HAVE AGREEMENT WITH STATE HIGHWAY COMMISSION OF MISSOURI, AS TO ORDINANCES, RESOLUTIONS, RULES, AND REGULATIONS AS TO CERTAIN STREETS.**

The Director, before submitting for approval to the City Council any ordinance, resolution, rule, or regulation relating to the regulation of traffic, the parking of motor vehicles, the location, form, or character of informational, regulatory, or warning signs and traffic signals, curb loading and unloading zones on State roads, streets, and highways maintained by the Missouri State Highway Commission within the City, shall submit such proposal to the State Highway Commission and receive approval from the Commission, and will not cause to be enacted or keep in force any ordinance, resolution, rule, or regulation not approved by the Commission.

**SEC. 18.02.011 - 18.02.999 RESERVED.**

ARTICLE 3. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS.

SEC. 18.03.001. AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.

A. It shall be the duty of the officers of the Police Department, or such officers as are assigned by the Chief of Police to enforce the provisions of this chapter.

B. Officers of the Police Department, or such officers as are assigned by the Chief of Police, are hereby authorized to direct all traffic by voice and/or signal in conformance with the provisions of this chapter, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding provisions of this chapter.

C. Members of the Fire Department, when at the scene of a fire or other emergency, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

SEC. 18.03.002. OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS, AND INTERFERENCE WITH TRAFFIC.

A. No person shall fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

B. It shall be unlawful for any person, other than an officer of the Police Department or such other officers as are assigned by the Chief of Police or firefighter at the scene of a fire, to direct or attempt to direct traffic movements or to regulate or interfere with parking on public streets.

SEC. 18.03.003. FLEEING A POLICE OFFICER.

It shall be unlawful for any driver of a motor vehicle to willfully fail or refuse to stop said vehicle, or otherwise flee or attempt to elude a pursuing police vehicle, when given a visual or audible signal to bring the vehicle to a stop. The sign given by the police officer may be by hand, voice, emergency light, siren or any other action reasonably calculated to communicate to the operator the officer's order.

SEC. 18.03.004. USE OF ROLLER SKATES, SKATEBOARDS, SLEDS, COASTERS, AND SIMILAR DEVICES RESTRICTED.

No person upon roller skates, skateboard, sled, or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway, except while crossing a street on a crosswalk, and when so crossing such person shall be granted all the rights and shall be subject to all the duties applicable to pedestrians.

SEC. 18.03.005. USE OF ROLLER SKATES, SKATEBOARDS, SLEDS, COASTERS AND SIMILAR DEVICES PROHIBITED ON CERTAIN SIDEWALKS.

No person upon roller skates, skateboard, sled, or by riding in or by means of any coaster, toy vehicle or similar device shall go upon any sidewalk in the Englewood Business District, the Fairmount Business District, the Maywood Business District, the Noland Road Business District, the Central Traffic District, or upon any public or private property posted so as to indicate that such use is prohibited.

SEC. 18.03.006. MOTOR SCOOTERS.

No person shall ride in or on any motor scooter on any street, alley or sidewalk or on any public or private property posted so as to indicate such use is prohibited.

SEC. 18.03.007. PUBLIC EMPLOYEES TO OBEY REGULATIONS.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, any state, county, or city, and it shall be unlawful for any such driver to violate any of the provisions of this chapter.

**SEC. 18.03.008. USE OF SIRENS AND RED LIGHTS.**

It shall be unlawful for any person to operate a vehicle upon any street of the City if said vehicle is equipped with a siren, or a red light visible from the front of the vehicle, unless such vehicle is an emergency vehicle as defined in this chapter.

**SEC. 18.03.009. OPERATION OF EMERGENCY VEHICLES.**

A. The driver of an emergency vehicle shall not sound the siren or have the front red lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not returning from, a fire.

B. The driver of an 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 speed limit so long as he or she does not endanger life or property; and,
4. Disregard regulations governing direction of movement or turning in specified directions.

C. The exemptions granted herein to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle.

**SEC. 18.03.010. USE OF SIRENS AND BLUE LIGHTS.**

A. No person shall use or display a siren or blue lights on a motor vehicle or fire, ambulance or rescue equipment without a valid permit issued by the chief of an organized fire department, organized ambulance association or rescue squad.

B. Motor vehicles and equipment operated by any member of an organized fire department, organized ambulance association or rescue squad authorized to use a siren and blue lights may be operated on the streets of this City as an emergency vehicle while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and while using or displaying fixed, flashing or rotating blue lights, but sirens and blue lights shall only be used in bona fide emergencies.

**SEC. 18.03.011 - 18.03.999 RESERVED.**

ARTICLE 4. TRAFFIC CONTROL DEVICES

SEC. 18.04.001. OBEDIENCE TO TRAFFIC CONTROL DEVICES.

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

SEC. 18.04.002. PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS.

Pedestrians shall be subject to traffic-control signals as provided in this Article, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in Article 8.

SEC. 18.04.003. DISPLAY OF UNAUTHORIZED SIGNS AND SIGNALS.

A. It shall be unlawful for any person to place, maintain, or display upon or in view of any street or highway any unauthorized sign, signal, painted marking, or device which purports to be or is in imitation of or resemblance of any official traffic-control device, sign, or signal, railroad sign or signal, or emergency vehicle warning light, or which attempts to direct movement of traffic or which hides from view or interferes with the effectiveness of or could be confused with any official traffic-control device, sign, or signal, railroad sign or signal, or emergency vehicle warning light.

B. No person shall place or maintain nor shall any public authority permit upon any street any traffic sign or signal bearing thereon any commercial advertising.

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

D. Every such prohibited sign, signal, or painted marking is hereby declared to be a public nuisance, and the Director is hereby empowered to remove the same or cause the same to be removed without notice.

SEC. 18.04.004. INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS.

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

SEC. 18.04.005. 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 word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. Green indication

- a. 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;

b. 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;

c. Unless otherwise directed by a pedestrian control signal as provided in Article 8, 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.

## 2. Steady yellow indication

a. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

b. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal, as provided in Article 8, 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.

## 3. Steady red indication

a. Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown, except as provided in the next paragraph;

b. The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the State Highway and Transportation Commission with reference to an intersection involving a State highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

c. Unless otherwise directed by a pedestrian control signal as provided in Article 8, pedestrians facing a steady red signal alone shall not enter the roadway.

4. 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.

5. When traffic control signals are present, but not operating, drivers and pedestrians shall proceed as though each has a stop sign and yield the right-of-way as described in Article 12.

SEC. 18.04.006 - 18.04.999 RESERVED.



ARTICLE 5. SPEED REGULATIONS

SEC. 18.05.001. SPEED - RESTRICTIONS AS TO SPEED GENERALLY.

No person shall drive or operate a vehicle upon a street at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the street, the hazard at intersections, the weather, and any other conditions then existing. Every driver of a vehicle shall exercise the highest degree of care, particularly in driving at a rate of speed so as not to endanger the life, limb or property of any person; provided that this provision shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant and that such negligence is the proximate cause of an accident.

SEC. 18.05.002. BASIC SPEED LIMITS.

A. Speed - twenty-five (25) miles per hour. The speed on any street in this City shall not exceed twenty-five miles per hour (25 mph), both daytime and nighttime, unless otherwise signs are posted, designating another speed limit.

B. It shall be unlawful to operate a vehicle upon any street at a speed in excess of the posted speed limit.

SEC 18.05.003. SPEED BLOCKING TRAFFIC.

It shall be unlawful for any person unnecessarily to drive at such a slow speed as to impede or block the normal and reasonable movement of traffic.

SEC. 18.05.004. SPEED ON STREETS THROUGH SCHOOL ZONES AND SCHOOL CROSSING AREAS.

It shall be unlawful for any person to drive in excess of the posted speed limit when passing through a school zone or school crossing area during the hours of 7:00 A.M. to 4:30 P.M. weekdays when school is in session, providing the school zone and the speed limit are erected and properly maintained.

SEC. 18.05.005 - 18.05.999 RESERVED



ARTICLE 6. TURNING MOVEMENTS AND SIGNALS ON STOPPING, TURNING  
AND CHANGING LANES.

SEC. 18.06.001. TURNING AT INTERSECTIONS.

The driver of a vehicle intending to turn at an intersection or driveway shall do so as provided in this section, unless a different method of turning is directed by buttons, markers, signs, signals, or other devices at intersections, in which event turns shall be made in accordance with the directions of such markers, buttons, signs, signals, or other devices.

1. RIGHT TURNS - Both the approach for a right turn and the execution of a right turn shall be made as close as practicable to the right hand curb or edge of the roadway, without leaving the roadway and entering onto private property.

2. LEFT TURNS ON TWO-WAY ROADWAYS - At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

3. LEFT TURNS ON OTHER THAN TWO-WAY ROADWAYS - At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left any such intersection shall approach the intersection in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

SEC. 18.06.002. ALL "U" TURNS PROHIBITED, WITH EXCEPTIONS.

It shall be unlawful for the driver of any vehicle to turn such vehicle so as to proceed in the opposite direction upon any through street, highway, or bridge, except that U-turns shall be permitted when signs are posted.

SEC. 18.06.003. PROHIBITED TURNS.

Whenever authorized signs are erected indicating no right or left turn or no right or left turn between certain hours of any day, no driver shall disobey the directions of such signs.

SEC. 18.06.004. REQUIRED SIGNS.

A. No person shall turn, change the lane of travel or stop any vehicle without giving an appropriate signal in the manner hereinafter provided.

B. A signal of intention to turn right or left, or change lanes, when required, shall be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning, unless such action is impossible.

C. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

SEC. 18.06.005. METHOD OF SIGNALING.

The signals herein required shall be given either by means of the hand and arm or by an approved mechanical or electrical device, except that when a vehicle is so constructed or leaded as to prevent the hand and arm signal from being visible both to the front and rear, the signal shall be given by a mechanical or electrical device.

SEC. 18.06.006. METHOD OF GIVING HAND-AND-ARM SIGNALS.

All signals herein required given by hand and arm 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.

SEC. 18.06.007. LEFT TURNS FROM TURNING LANES.

A. It shall be unlawful for the driver of any vehicle when traveling on a street where left turn lanes are provided and available to:

1. Make a left turn from other than the turning lane so provided, or
2. Allow that vehicle to partially remain in another lane when the vehicle is stopped in a turning lane.
3. Use the left turn lane as a through lane of travel.

SEC. 18.06.008 - 18.06.999 RESERVED.

## ARTICLE 7. RIGHT OF WAY FOR VEHICLES

## SEC. 18.07.001. VEHICLES APPROACHING OR ENTERING UNCONTROLLED INTERSECTION.

A. The driver of a vehicle approaching an uncontrolled intersection or through street or highway shall yield the right of way to a vehicle which has entered the intersection, except that when two vehicles enter an intersection 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 driver of a vehicle approaching an intersection on a street or highway that terminates at that intersection shall yield the right of way to vehicles approaching the intersection on a through street.

C. The driver of a vehicle shall approach each intersection in a careful and cautious manner, and with the vehicle under such control that such driver can stop such vehicle and yield the right of way to any vehicle or pedestrian entitled to the right of way.

## SEC. 18.07.002. VEHICLE TURNING LEFT AT INTERSECTION.

The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard and to any pedestrian in the crosswalk.

## SEC. 18.07.003. VEHICLE TURNING RIGHT AT INTERSECTION.

The driver of a vehicle within an intersection intending to turn to the right shall yield the right of way to any pedestrian in the crosswalk.

## SEC. 18.07.004. VEHICLE ENTERING THROUGH STREET OR STOP INTERSECTION.

A. The driver of a vehicle shall stop as required by law at the entrance to a through street, and shall yield the right of way to other vehicles within the intersection or approaching so closely on the through street as to constitute an immediate hazard, and to any pedestrian in the crosswalk.

B. The driver of a vehicle shall stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street, and shall proceed carefully and cautiously, yielding to vehicles not so obligated to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, or to any other vehicle which has already stopped at another stop sign at such intersection.

## SEC. 18.07.005. VEHICLE ENTERING STREET FROM ALLEY, PRIVATE ROAD, OR DRIVEWAY.

The driver of a vehicle about to enter or cross a street from an alley, private road, or driveway shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway, yielding the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

## SEC. 18.07.006. VEHICLE ENTERING ALLEY, PRIVATE ROAD, OR DRIVEWAY FROM STREET.

The driver of a vehicle about to enter into an alley, private road, or driveway from a street shall yield the right of way to any vehicle or pedestrian traffic.

## SEC. 18.07.007. OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

A. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirement of this chapter, 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 edge or curb of the roadway nearest the lane in which the driver is traveling clear of any intersection and stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

B. Upon approaching a stationary emergency vehicle displaying lighted red or blue lights, the driver of every other vehicle shall: (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle, or (2) proceed with caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

**SEC. 18.07.008. VEHICLE ENTERING TRAFFIC-OBSTRUCTED INTERSECTION.**

No driver of a vehicle shall enter the crosswalk of a traffic-obstructed intersection or such intersection, unless there is sufficient space beyond the intersection and opposite crosswalk to accommodate the vehicle without obstructing the cross passage of other vehicles or pedestrians, notwithstanding any traffic-control signal to proceed.

**SEC. 18.07.009. VEHICLES AND PEDESTRIANS.**

A. The driver of any vehicle shall yield the right of way to any pedestrian lawfully crossing or on the roadway as hereinafter provided in this chapter, and shall at all times exercise the utmost care and caution to avoid striking a pedestrian, even though such pedestrian is not lawfully crossing or on the roadway.

B. Whenever any vehicle has been stopped to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

**SEC. 18.07.010. LOSING RIGHT OF WAY.**

Any driver violating any provision of this chapter shall have no right of way if such violation interferes with the ability of another driver to yield the right of way to such drive.

**SEC. 18.07.011. VEHICLE ENTERING YIELD INTERSECTION.**

A. The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall yield the right of way to any pedestrian legally crossing that roadway and to any vehicle in the intersection or approaching on another roadway so closely as to constitute a hazard. Said driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, that a driver who enters a yield intersection without stopping and has or causes a collision with a pedestrian in a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. The foregoing shall not relieve the drivers of other vehicles approaching the intersection, at such distance as not to constitute an immediate hazard, from the duty to drive with due care to avoid a collision.

B. The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the rear side of the intersection or, in the event there is no crosswalk at a clearly marked stop line, but, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersection roadway.

**SEC. 18.07.012 - 18.07.999 RESERVED.**

ARTICLE 8. RIGHT OF WAY AND DUTIES: PEDESTRIANS

SEC. 18.08.001. PEDESTRIANS' RIGHT OF WAY IN CROSSWALK.

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 so yield, to a pedestrian crossing 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, but 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 that it is impossible for the driver to yield. A pedestrian's right of way in a crosswalk is modified under the condition and as stated in Section 18.08.005.

SEC. 18.08.002. PEDESTRIAN CROSSING ROADWAY.

A pedestrian crossing or starting across a roadway at a crosswalk on a green signal or pedestrian "walk" signal shall have the right of way over all vehicles, including those making turns.

SEC. 18.08.003. PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

SEC. 18.08.004. CROSSING AT RIGHT ANGLES.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a marked crosswalk, or as provided in Article 4.

SEC. 18.08.005. WHEN PEDESTRIAN SHALL YIELD.

A. Every pedestrian crossing a roadway at any point other than a crosswalk 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. A pedestrian crossing or starting across a roadway upon the immediate approach of an emergency vehicle making use of audible and visual signals meeting the requirements of Section 18.03.009 of this chapter, shall yield the right of way.

SEC. 18.08.006. OBEDIENCE OF PEDESTRIANS TO BRIDGE AND RAILROAD SIGNALS.

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.

SEC. 18.08.007. PEDESTRIANS WALKING ALONG ROADWAYS.

A. Where usable sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway.

B. Where sidewalks are not provided, any pedestrian walking along and upon a roadway shall, when practicable, walk only on the left side of the roadway or its shoulder, facing traffic which may approach from the opposite direction.

SEC. 18.08.008. DRIVERS TO EXERCISE DUE CARE.

Notwithstanding the foregoing provisions of this Article, every driver of a vehicle shall exercise the highest degree of care to avoid colliding with any pedestrian.

**SEC. 18.08.009. PEDESTRIANS SELLING TO OR SOLICITING RIDES, BUSINESS, CHARITABLE CONTRIBUTIONS.**

A. No person shall sell any article or service to any person in a vehicle which is on any street, alley or public way in the City of Independence, Missouri.

B. No person shall solicit contributions from persons in vehicles on City streets except as provided hereafter.

C. A charitable organization or persons representing a charitable cause may conduct an event to solicit contributions and collect money from persons in vehicles on City streets by standing in, or beside, City streets with a permit issued by the City.

1. Organizations or persons must apply for a permit at least fourteen (14) days prior to the collection event.

2. The application shall be developed by the Police Department and shall include:

- a. The date and time the solicitation is to occur;

- b. The location of the solicitation;

- c. The number of solicitors to be involved at each location of the solicitation;

- d. Proof that the organization or persons are a charitable organization collecting to provide benefits to local individuals or is a charitable organization qualified under the IRS Code section 501 c (3); and

- e. Proof that the organization or persons have insurance in an amount no less than Two Hundred Thousand Dollars (\$200,000) to protect against claims against it and against the City, its officers and employees.

D. Organizations and individuals must adhere to the following rules for charitable solicitation:

1. Solicitation will only be permitted between April 1st and September 30th.

2. Solicitation may only occur between the hours of 8:00 a.m. and 6:00 p.m.

3. No more than one organization may solicit at a location in a single day.

4. No more than ten individuals may solicit at any location.

5. Individuals who are less than seventeen years of age may not solicit as described herein.

6. All solicitors must wear safety vest which meet the ANSI/ISEA 107-1999 standards.

7. Solicitations may not occur at intersections where the posted speed limit of either street is greater than 40 miles per hour.

8. Only vehicles at a complete stop may be solicited.

E. Solicitations with approved permits may be canceled by the Chief of Police if weather or traffic conditions are such that the safety of the solicitors or the public is endangered. Solicitations may also be canceled when violations of paragraph D are observed.



F. No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

G. No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street, or accept employment as guard, watcher, or caretaker of any vehicle parked or about to be parked upon any street.

**SEC. 18.08.010. USE OF WHITE CANES - CARE TOWARD DISABLED PEDESTRIANS.**

No pedestrian, except one with a visual, aural or physical disability, shall carry a cane or walking stick, white in color, while traversing the public streets and roadways, but such white painted canes or walking sticks may be used by persons with visual, aural or physical disabilities as a means of protection and for identification to other pedestrians and to drivers of vehicles; and it shall be unlawful for any driver of any vehicle on approaching any such pedestrian carrying a white painted cane, walking stick, guide dog, hearing dog or service dog to fail to yield the right of way or to fail to proceed slowly and carefully so as to avoid accident or injury to such pedestrian; provided that nothing contained in this section shall be construed as relieving such pedestrian with a visual, aural or physical disability from compliance with and observance of all other provisions of this chapter.

**SEC. 18.08.011. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.**

A. Operations of electric personal assistive mobility devices shall have the same rights of way and duties as pedestrians.

B. When sidewalks are not provided and the operator of an electric personal assistive mobility device must use the roadway, that operator shall use the left side of the roadway or its shoulder, facing traffic which may approach from the opposite direction, and shall display an orange flag not less than six feet (6') above ground level.

**SEC. 18.08.012 - 18.08.999. RESERVED.**

ARTICLE 9. ACCIDENTS

SEC. 18.09.001. ACCIDENTS INVOLVING DEATH, PERSONAL INJURY, OR PROPERTY DAMAGE - RENDERING AID, GIVING INFORMATION, AND MAKING IMMEDIATE REPORT.

A. The driver of any vehicle involved in an accident resulting in injury or death of any person, or property damage to an apparent extent of One Hundred Dollars (\$100.00) or more, shall immediately stop such vehicle at the scene of the accident and by the quickest means of communication available shall notify the police, give them such information as they shall require, and remain at said scene until authorized to proceed by said police. Such driver shall give his name, address, and registration number, and such other pertinent information requested to any other driver or injured party involved.

SEC. 18.09.002. WHEN DRIVER PHYSICALLY UNABLE TO MAKE REPORT.

Whenever the driver of a vehicle is physically incapable of giving an immediate report of an accident as required in the above section, and there is another occupant in the vehicle at the time of the accident capable of making such report, then such other occupant shall make or cause to be made such report required of the driver, but this shall not relieve the driver of the obligation to remain until authorized by the police to proceed unless injuries to the driver require immediate removal for medical attention.

SEC. 18.09.003. POLICE TO PREPARE WRITTEN REPORT.

Every officer of the Police Department who, in the regular course of duty, investigates a motor vehicle accident, either at the time of and at the scene of an accident or thereafter by interviewing the participants or witnesses, shall immediately prepare and file a written report of said accident, unless it originates and occurs on private property and injuries or intoxication are not involved.

SEC. 18.09.004. ACCIDENTS INVOLVING PROPERTY DAMAGE LESS THAN \$100.00 - UNATTENDED VEHICLES AND FIXTURES.

A. The driver of any vehicle involved in an accident in which there are no personal injuries and the apparent property damage is less than One Hundred Dollars (\$100.00) shall immediately stop such vehicle and give his or her name, address, and registration number, liability insurance information and such other pertinent information requested, to any other driver involved, and if requested by such other driver, shall remain at the scene of the accident until authorized to proceed by police.

B. If the damage is to an unattended vehicle or fixture or other property along the roadway, the driver involved shall make reasonable effort to locate and give the owner thereof such information, and if unable to do so in the case of an unattended vehicle, shall leave his or her name and address in a conspicuous place thereon; provided, however, if the owner cannot be found, then report of such accident shall also be made to the police by the quickest means of communication available, and said driver shall remain at the scene until authorized to proceed by the police.

SEC. 18.09.005 - 18.09.999 RESERVED.

ARTICLE 10. CARELESS DRIVING AND DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

SEC. 18.10.001. CARELESS DRIVING.

Any person who drives any vehicle or railroad train upon a street carelessly and heedlessly, in disregard of the rights or safety of others, or without due caution and circumspection, or at a speed and in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of careless driving.

SEC. 18.10.002. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

A. No person shall operate a motor vehicle or railroad train while in an intoxicated or drugged condition.

B. As used in this section, the term "operate" means physically driving or operating or being in actual physical control of a motor vehicle or railroad train, the term "intoxicated condition" means when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof, and the term drugged condition means when a person is under the influence of a controlled substance, a drug or a combination of either or both with or without alcohol.

C. Every person who is convicted of a violation of this section and who has never before pled guilty or been found guilty of operating a motor vehicle or railroad train while in an intoxicated or drugged condition shall be punished by imprisonment not to exceed six (6) months or by a fine not to exceed Five Hundred Dollars (\$500.00) or both. Every person who is convicted of a violation of this section and who has previously pled guilty or been found guilty of violating any law prohibiting the operation of a motor vehicle or railroad train while in an intoxicated or drugged condition, shall be punished by imprisonment not to exceed one (1) year or by a fine not to exceed Five Hundred Dollars (\$500.00) or both. No person who pleads guilty or is found guilty of operating a motor vehicle or railroad train while in an intoxicated or drugged condition shall be granted a suspended imposition of sentence, unless such person shall be placed on probation for a minimum of two (2) years.

SEC. 18.10.003. PERSONS WITH A BLOOD-ALCOHOL CONTENT OF EIGHT ONE-HUNDREDTHS OF ONE PERCENT OR MORE BY WEIGHT.

A. No person shall operate a motor vehicle or railroad train when he/she has eight one-hundredths of one percent (0.08%) or more by weight of alcohol in his/her blood.

B. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, saliva or urine.

C. Chemical analysis of a person's breath, blood, saliva or urine to be considered valid shall be performed according to methods approved by the Missouri State Division of Health by licensed medical personnel or by a person possessing a valid permit issued by the State Division of Health for this purpose.

D. Every person who is convicted of a violation of this section and who has never before pled guilty or been found guilty of violating any law prohibiting the operation of a motor vehicle or railroad train with a blood alcohol content of eight one-hundredths of one percent (0.08%) or more by weight or any law prohibiting the operation of a motor vehicle or railroad train while in an intoxicated or drugged condition, shall be punished by imprisonment not to exceed fifteen (15) days or by a fine not to exceed Three Hundred Dollars (\$300.00) or both. Every person who is convicted of a violation of this section and has previously pled guilty or been found guilty of violating any law prohibiting the operation of a motor vehicle or railroad train with a blood alcohol content of eight one-hundredths of one percent (0.08%) or more by weight or any law prohibiting the operation of a motor vehicle or railroad train while in an intoxicated or drugged condition, shall be punished by imprisonment not to exceed six (6) months or a fine not to exceed Five Hundred Dollars (\$500.00) or both.

**SEC. 18.10.004. COMMERCIAL MOTOR VEHICLE DRIVERS WITH A BLOOD-ALCOHOL CONTENT OF FOUR ONE-HUNDREDTHS OF ONE PERCENT OR MORE BY WEIGHT.**

A. No person shall drive a commercial motor vehicle while having an alcohol concentration of four one-hundredths of one percent (0.04%) or more by weight in his/her blood.

B. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, saliva or urine.

C. Chemical analysis of a person's breath, blood, saliva or urine to be considered valid shall be performed according to methods approved by the Missouri State Division of Health by licensed medical personnel or by a person possessing a valid permit issued by the State Division of Health for this purpose.

D. A test or tests may be administered for the purpose of enforcing this section at the direction of a police officer who has reason to believe the person was driving a commercial motor vehicle while having any amount of alcohol or controlled substance in his/her system.

**SEC. 18.10.005. CONSUMPTION OF ALCOHOLIC BEVERAGES IN MOVING MOTOR VEHICLE.**

No person shall consume any alcoholic beverage while operating a moving motor vehicle upon the streets of this City.

**SEC. 18.10.006. OPERATION OF MOTOR VEHICLES WITHOUT AN IGNITION INTERLOCK DEVICE.**

A. It is unlawful for any person to operate any motor vehicle without a functioning, certified ignition interlock device when that person has been ordered by a court to equip any vehicle he or she operates with such a device.

1. It is not a defense to any charge under this section that the vehicle is rented, leased or lent by anyone.
2. Missouri Department of Revenue records containing any entry requiring the use of the device as provided by Sections 577.600 to 577.614, R.S.Mo., shall be presumptive evidence of the requirement to have an ignition interlock device.

B. It is unlawful for any person to request or solicit another person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing the person so restricted with an operable motor vehicle if the driving privilege of the person making the request is restricted pursuant to this section.

C. It shall be unlawful for any person to knowingly rent, lease or lend a motor vehicle to a person known to have had his or her driving privilege restricted to operating vehicles equipped with an ignition interlock device, unless the vehicle is equipped with a functioning, certified ignition interlock device.

D. It is unlawful for any person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing an operable motor vehicle to a person whose driving privilege is restricted under Section 577.600 R.S.Mo.

E. It is unlawful for any person to tamper with, or circumvent the operation of an ignition interlock device.

SEC. 18.10.007 - 18.10.999 RESERVED.



ARTICLE 11. ONE-WAY STREETS AND ALLEYS

SEC. 18.11.001. ONE-WAY STREETS.

No person shall operate a vehicle or bicycle upon any street which has been designated as a one-way street, except in the direction designated for the movement of traffic thereon. Signs shall be erected and maintained in each block of that portion of each street which has been designated as a one-way street, indicating the direction for the movement of traffic.

SEC. 18.11.002. ONE-WAY ALLEYS.

No person shall operate a vehicle or bicycle upon any alley which has been designated as a one-way alley, except in the direction designated for the movement of traffic thereon.

SEC. 18.11.003 - 18.11.999 RESERVED.





ARTICLE 12. SPECIAL STOPS REQUIRED

SEC. 18.12.001. THROUGH STREETS.

The Director shall designate through streets and shall place and maintain stop signs on each and every street intersecting such through streets, unless traffic and such intersections is controlled by traffic control signals; provided, however that at the intersection of two through streets or the intersection of a through street and a street having heavy traffic, the Director shall determine upon which street or streets to erect stop signs or traffic control signals.

SEC. 18.12.002. VEHICLES TO STOP AT STOP SIGNS.

A. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but 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 the intersection.

B. Such driver, after having stopped, shall yield the right of way to any vehicle which has entered the intersection from another street or which is approaching so closely on said street as to constitute an immediate hazard, but said driver, having so yielded, may proceed, and the drivers of all other vehicles approaching the intersection shall yield the right of way to the vehicle so proceeding.

SEC. 18.12.003. STOP AT INTERNATIONAL SCHOOL CROSSING SIGN.

Every driver of a vehicle shall, when approaching the international school crossing sign bring such vehicle to a stop before entering the nearest crosswalk when pedestrians are in the crosswalk or standing near the crosswalk.

SEC. 18.12.004. STOP AT PORTABLE SCHOOL CROSSING SIGNS.

Every driver of a vehicle shall, when approaching a portable school stop sign located in the roadway, bring such vehicle to a stop before entering the nearest crosswalk.

SEC. 18.12.005. OBEDIENCE TO SIGNAL INDICATING APPROACH OF RAILROAD 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 fifty feet (50'), but not less than fifteen feet (15'), from the nearest rail of such railroad, and shall not proceed until the driver can do so safely. 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 flagman gives or continues to give a signal of the approach or passage of a railroad train.
3. A railroad train approaching within approximately one thousand five hundred feet (1,500') of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard.

B. No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed, unless such driver can do so safely.

SEC. 18.12.006. CERTAIN VEHICLES TO STOP AT RAILROAD CROSSINGS.

Every motor vehicle transporting passengers for hire, every school bus and every motor vehicle transporting high explosives, or poisonous or compressed inflammable gases, and every motor vehicle used for the transportation of inflammable or corrosive liquids in bulk, whether loaded or empty, shall, upon approaching any railroad grade crossing, other than a crossing that is specifically exempted from the stopping requirement by order of the division of motor carrier and railroad safety of the State of Missouri Department of Economic Development, be brought to a full stop within fifty feet (50'), but not less than fifteen feet (15'), from the nearest rail of such railroad grade crossing, and shall not proceed until due caution has been taken to ascertain that the course is clear, except that a full stop shall not be required at a railroad grade crossing protected by a watchman or law enforcement officer on duty or by a traffic control signal device (not railroad flashing signal) giving positive indication to approaching vehicles to proceed, nor when the division of motor carrier and railroad safety has ordered placement of an exempt sign at the crossing.

SEC. 18.12.007 - 18.12.999 RESERVED.

ARTICLE 13. MISCELLANEOUS RULES

SEC. 18.13.001. FOLLOWING FIRE APPARATUS.

The driver of any vehicle, other than one on emergency official business shall not follow any fire apparatus giving a visual and audible signal closer than five hundred feet (500'), or drive into or park such vehicle within the block where fire apparatus has stopped and continues to give visual signals.

SEC. 18.13.002. CROSSING FIRE HOSE.

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

SEC. 18.13.003. LIMITATIONS ON BACKING.

The driver of any vehicle shall not back the same into any intersection or over any crosswalk, except when such movement is made necessary by an emergency, and shall not in any event or at any place back a vehicle, unless such movement can be made with reasonable safety and without interfering with other traffic.

SEC. 18.13.004. OBSTRUCTING DRIVER'S VIEW.

No driver of any vehicle shall drive the same when such vehicle is so loaded or when there are in the front seat of such vehicle such number of persons as to obstruct the view of the driver to the back, front, or sides, or to interfere with the driver's control over the driving mechanism of the vehicle. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead, or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

SEC. 18.13.005. CLINGING TO VEHICLES.

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

SEC. 18.13.006. RESTRICTIONS ON USE OF LIMITED ACCESS ROADWAYS.

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

B. No pedestrian, bicycle, or other non-motorized traffic, or motor scooter, shall use any limited access roadway, except for the sole purpose of crossing same by the shortest and most direct route and then only at crossings designated by public authority. Such traffic shall yield the right of way to any motorized traffic proceeding on the limited access roadway.

C. No person shall stop a vehicle within the limits of the right of way of any limited access roadway, except as may be required by law.

SEC. 18.13.007. ILLEGAL OPENING OF DOOR ON ROADWAY SIDE.

No person shall open the door on the roadway side of any stopped vehicle, unless such movement can be made with reasonable safety and without interfering with other traffic.

**SEC. 18.13.008. RIDING ON MOTORCYCLES.**

A. A person operating or riding upon a motorcycle shall not ride other than upon the permanent and regular seat attached thereto.

B. No motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped with permanent seats, handholds, and footrests.

**SEC. 18.13.009. MOTORCYCLES AND MOTOR BIKES - SAFETY HELMETS REQUIRED.**

It shall be unlawful to operate or occupy as a passenger, any motorcycle, or motor bike upon any public street, alley or other thoroughfare or any public park within the City of Independence, Missouri, unless such person is wearing protective headgear approved by the State director of revenue.

**SEC. 18.13.010. 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 vehicle by this chapter, except those provisions which by their nature can have no application.

**SEC. 18.13.011. RIDING ON OUTSIDE OF VEHICLE - CARRYING ANIMALS.**

A. No person shall ride on any vehicle or upon any portion thereof not designated or intended for the use of passengers and no person shall operate a vehicle under such conditions. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

B. No person shall transport or carry or cause or permit to be transported or carried any animal outside of any vehicle, unless such animal is protected by framework or other device which will prevent the animal from falling off or being thrown from such vehicle.

**SEC. 18.13.012. USING VEHICLE FOR PRIMARY PURPOSE OF DISPLAYING ADVERTISING.**

No person shall operate or park on any street any vehicle for the primary purpose of displaying advertising; provided that the provisions of this section shall not apply to sound trucks operating in compliance with ordinance provisions relating thereto.

**SEC. 18.13.013. DRIVING ON SIDEWALK, PARKWAY, ETC.**

The driver of a vehicle shall not drive upon any sidewalk, parkway, park, or other public property where no provisions therefore has been made.

**SEC. 18.13.014. DRIVING IN DISREGARD OF SIGNS, MARKINGS, OR BARRICADES.**

No person shall drive any vehicle over or across any newly made pavement or newly marked pavement in any public street across, on, or around which portion there is a barrier, or at or near which there is a person or sign warning persons not to drive over or across such portion, or a sign stating that the street is closed.

**SEC. 18.13.015. FUNERAL PROCESSIONS.**

A. In this Section, unless the context requires otherwise:

FUNERAL DIRECTOR means a person licensed as a funeral director pursuant to State law.

FUNERAL LEAD VEHICLE or LEAD VEHICLE means any motor vehicle equipped with at least one lighted circulating lamp exhibiting an amber or purple light or lens or alternating flashing headlamps visible under normal atmospheric conditions for a distance of five hundred feet (500') from the front of the vehicle. A hearse or coach properly equipped may be a lead vehicle.

ORGANIZED FUNERAL PROCESSION means two or more vehicles accompanying the remains of a dead person from a funeral establishment, church, synagogue or other place where a funeral service has taken place to a cemetery, crematory or other place of final disposition, or a funeral establishment, church, synagogue or other place where additional funeral services will be performed, if directed by a licensed funeral director from a licensed establishment.

B. Except as otherwise provided for in this subsection:

1. Pedestrians and operators of all other vehicles shall yield the right-of-way to any vehicle which is a part of an organized funeral procession.
2. Notwithstanding any traffic control device or right-of-way provision, when the funeral lead vehicle is an organized funeral procession lawfully enters an intersection, all vehicles in the procession shall follow the lead vehicle through the intersection. The operator of each vehicle in the procession shall exercise the highest degree of care toward any other vehicle or pedestrian on the roadway.
3. An organized funeral procession shall have the right-of-way at all intersections regardless of any traffic control device at such intersections, except that operators of vehicles in an organized funeral procession shall yield the right-of-way to any approaching emergency vehicle or when directed to do so by a law enforcement officer.
4. All vehicles in an organized funeral procession shall follow the preceding vehicle in the procession as closely as is practical and safe under the conditions.
5. No person shall operate any vehicle as part of an organized funeral procession without the flashing emergency lights of such vehicle being lighted.
6. Toll free passage shall be given on all toll bridges, tunnels and other toll highways to all vehicles in an organized funeral procession.

#### SEC. 18.13.016. FUNERAL PROCESSION REGULATIONS.

A. Any person who is not an operator of a vehicle in an organized funeral procession shall not:

1. Drive between the vehicles comprising an organized funeral procession while such vehicles are in motion and have the flashing emergency lights lighted, except when required to do so by a law enforcement officer or when such person is operating an emergency vehicle giving an audible or visual signal;
2. Join a funeral procession for the purpose of securing the right-of-way; or

3. Attempt to pass any vehicle in an organized funeral procession, except where a passing lane has been specifically provided.

B. When an organized funeral procession is proceeding lawfully through a red signal light, a vehicle not in the organized funeral procession shall not enter the intersection, unless such vehicle may do so without crossing the path of the funeral procession.

#### SEC. 18.13.017. PARADES OR PROCESSIONS.

No parade or procession of persons of more than three vehicles shall walk or be driven on any street without securing a permit from the Chief of Police designating the time, route, and length of procession.

#### SEC. 18.13.018. EXCEPTIONS.

The foregoing section shall not apply to:

1. Funeral processions;
2. Students going to and from school classes or participating in educational activities, provided such conduct is under the immediate direction and supervision of the proper school authorities;
3. A governmental agency acting within the scope of its functions.

#### SEC. 18.13.019. APPLICATION FOR PERMIT - FEE.

A person seeking issuance of a permit as hereunder required shall file an application with the Chief of Police, on forms provided by such officer not less than forty-five (45) days nor more than sixty (60) days before the date on which it is proposed to conduct the fair, exhibition, show, or parade. The application shall set forth the following information:

1. The name, address, and telephone number of the person seeking to conduct such activity;
2. The nature of the activity to be conducted;
3. If the parade or exhibition is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
4. The name, address, and telephone number of the persons who will be the parade or exhibition chairman or managing officer and who will be responsible for its conduct;
5. The route to be traveled, the starting point and the termination point, if a parade; if a fair or exhibition, the location of the place said fair or exhibition is to be held;
6. The approximate number of persons who, and animals and vehicles which, will constitute such parade, fair, or exhibition; the type of animals and description of the vehicles and equipment to be used;

7. The hours when such parade or exhibition will start and terminate;
8. A statement as to whether the parade will occupy all or only a portion of the streets proposed to be traversed; if a fair or exhibition, the proposed area to be occupied thereby;
9. Location by streets of any assembly areas for such parade;
10. The time when units of the parade will begin to assemble at any such assembly area or areas;
11. The time at which the participants in the exhibition will begin to assemble at any such assembly area;
12. If the parade or exhibition is designed to be held by, and on behalf of, or for any person or persons other than the applicant, the applicant for such permit shall file with the Chief of Police a communication in writing for the person proposing to hold the parade or exhibition authorizing the applicant to apply for the permit on his/her behalf;
13. Any information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued.

The Chief of Police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than forty-five (45) days before the date such parade, fair, or exhibition is proposed to be held.

There shall be paid at the time of filing application for a permit hereunder, a fee of One Dollar (\$1.00).

#### SEC. 18.13.020. STANDARDS FOR ISSUANCE.

The Chief of Police shall issue a permit as provided for hereunder, from a consideration of the application and from such other information as may otherwise be obtained, if:

1. The conduct of the parade, fair, or exhibition will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route or contiguous to the location of said fair or exhibition;
2. The conduct of the parade, fair, or exhibition will not require the diversion of so great a number of police officers of the City to properly police the line of movement or the area of holding said fair or exhibition and the areas contiguous thereto to prevent normal police protection of the City;
3. The conduct of such parade or exhibition will not require the conversion of so great a number of ambulances as to prevent normal ambulance service to portions of the City other than that occupied by the proposed parade, fair, or exhibition;
4. The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with the proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;

5. Conduct of such parade, fair, or exhibition will not interfere with the movement of fire-fighting equipment in route to a fire;
6. The conduct of a parade, fair, or exhibition is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct, or to create a disturbance;
7. The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
8. The parade, fair, or exhibition is not to be held for the sole purpose of advertising a product, goods, or event, and is not designed to be held purely for private profit.

#### SEC. 18.13.021. NOTICE OF REJECTION.

The Chief of Police shall act upon the application for a parade, fair, or exhibition permit within ten (10) days after filing thereof. If the Chief of Police disapproves the application, the applicant shall be informed of the reasons by mail within fifteen (15) days of the application date.

#### SEC. 18.13.022. APPEAL PROCEDURE.

Any person aggrieved shall have the right to appeal the denial of a parade, fair, or exhibition permit to the City Council. The appeal shall be taken within five (5) days after notice by filing the appeal with the City Clerk for transmittal to the Council. The City Council shall act upon any appeal within ten (10) days after its receipt by the Council.

#### SEC. 18.13.023. ALTERNATIVE PERMIT.

The Chief of Police, in denying an application for a parade, fair, or exhibition permit, shall be empowered to authorize the conduct of a parade or exhibition on a date, at a time, on or over a route different from that named by the applicant, or at any location different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate parade, fair, or exhibition permit shall conform to the requirements, and shall have the same effect as any other parade, fair, or exhibition permit issued under this Article.

#### SEC. 18.13.024. NOTICE TO CITY AND OTHER OFFICIALS.

Immediately upon the issuance of a parade, fair, or exhibition permit, the Chief of Police shall send a copy thereof to the City Manager, who shall in turn inform all City officials and other persons reasonably interested in the conduct of such parade, fair, or exhibition.

#### SEC. 18.13.025. REVOCATION OF PERMIT - STOPPING PARADE, ETC.

The Chief of Police shall have the authority to revoke a parade, fair, or exhibition permit issued hereunder upon application of the standards for issuance as herein set forth at any time prior to the commencement of said parade, fair, or exhibition and shall further have the authority to stop, disperse, or otherwise halt the conduct of any parade, fair, or exhibition which is at the time presenting a serious threat to the health, safety, or welfare of the inhabitants of the City.



**SEC. 18.13.026. OBSTRUCTING PARADE ROUTES.**

Whenever the Chief of Police, by permit, shall define the line of march of any public parade in any of the public streets of the City, no person not taking part in such parade shall obstruct the part of the street designated in said permit required for such parade by riding, driving, or walking, or standing thereon; provided that nothing contained in this section shall effect the members of the Fire Department or the Police Department in the discharge of their official duties.

**SEC. 18.13.027. DEMONSTRATING ON OR NEAR STREETS.**

It shall be unlawful for any person in or upon any street, or in or upon any premises abutting thereon to make any speech or harangue, or to demonstrate, sell, or offer for sale goods, wares, or merchandise, or to display any sign, device, information, or exhibition, in consequence of which there is caused or created such a gathering of persons on such sidewalk as to interfere with pedestrian traffic thereon, or to cause a stopping of vehicles that results in vehicular traffic interference.

**SEC. 18.13.028. TRAFFIC EMERGENCY REGULATIONS.**

A. Driving Emergency - When snow, sleet, or freezing rain is causing slippery or hazardous conditions which might lead to serious traffic congestion, the Director may declare a traffic emergency; and until such is terminated, no vehicle shall be operated on any emergency route as defined in paragraph "C" without first having equipped such vehicle with effective skid chains or snow tire, excepting that vehicles with dual wheels need not be so equipped with.

B. Parking Emergency - Whenever snow has accumulated or there is a possibility that snow will accumulate to such a depth that snow removal operations will be required, the Director may declare a parking emergency, and until such an emergency is terminated, no vehicle shall be parked on any emergency route, as defined in paragraph "C".

All vehicles parked on such emergency routes must be removed within two hours after declaration of emergency or be considered in violation of this section.

C. Designation of Emergency Routes - Emergency routes are hereby defined as all streets in the central traffic district and any through street, when such streets are so designated by a sign or by a yellow band not less than twelve inches (12") wide, painted on a utility pole in each block. In the event that utility poles are not available, the Director shall erect signs to identify the emergency routes.

Vehicles in violation of paragraphs "A" or "B" may be towed, and the vehicle can be recovered only upon satisfaction of the provisions of this chapter regarding vehicles towed from the street by the Police Department.

**SEC. 18.13.029. SCHOOL BUS - STOPS - PASSING WHILE STOPPED - HOW MARKED.**

A. The driver of a vehicle, upon meeting or overtaking from either direction any school bus which has stopped on the street for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed below given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.

B. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "School Bus" in letters not less than eight inches (8") in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop While Bus Is Loading and Unloading." Each school bus shall be equipped with a mechanical or electrical signaling device, which will display a signal plainly visible from the front and rear and indicating intention to stop.

C. No driver of a school bus shall take on or discharge passengers unless the vehicle so stopped is plainly visible for at least three hundred feet (300') in each direction to drivers of other vehicles upon the highway and then only for such time as is actually necessary to take on and discharge passengers.

D. The driver of a vehicle upon a street with separate roadways need not stop upon meeting or overtaking a school bus which is on a different roadway or which is proceeding in the opposite direction on a street containing four or more lanes of traffic or which is stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at a point where pedestrians are not permitted to cross the roadway.

E. If any vehicle is witnessed by a police officer or the driver of a school bus to have violated the provisions of this section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. In the event that charges are filed against multiple owners of a motor vehicle, only one of the owners may be convicted and court costs may be assessed against only one of the owners. If the vehicle which is involved in the violation is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time of the violation, the rental or leasing company may rebut the presumption by providing the Police Chief or City Prosecutor with a copy of the rental or lease agreement in effect at the time of the violation. The prosecutor may not bring any legal proceedings against a rental or leasing company under this section, unless prior written notice of the violation has been given to that rental or leasing company by certified mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen days of receipt of such notice.

#### SEC. 18.13.030. CHILD PASSENGER RESTRAINT SYSTEMS.

A. As used in this section, the following terms shall mean:

**CHILD BOOSTER SEAT** means a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a child to properly sit in a Federally approved safety belt system.

**CHILD PASSENGER RESTRAINT SYSTEM** means a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R.571.213, as amended, and which is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system.

**DRIVER** means a person who is in actual physical control of a motor vehicle.

B. Every driver transporting a child under the age of sixteen (16) years shall be responsible, when transporting such child in a motor vehicle operated by that driver on the streets or highways of this City, for providing for the protection of such child as follows:

1. Children less than four (4) years of age, regardless of weight, shall be secured in a child passenger restraint system appropriate for that child;

2. Children weighing less than forty pounds (40#), regardless of age, shall be secured in a child passenger restraint system appropriate for that child;
3. Children at least four (4) years of age, but less than eight (8) years of age, who also weigh at least forty pounds (40 #), but less than eighty pounds (80 #), and who are also less than four feet nine inches tall (4'9"), shall be secured in a child passenger restraint system or booster seat appropriate for that child;
4. Children at least eighty pounds (80#) or children more than four feet nine inches (4'9") in height shall be secured by a vehicle safety belt or booster seat appropriate for that child;
5. A child who otherwise would be required to be secured in a booster seat may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation;
6. When transporting children in the immediate family when there are more children than there are seating positions in the enclosed area of a motor vehicle, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind the front seat of the motor vehicle, unless the motor vehicle is designed only for a front seat area. The driver transporting children referred to in this subsection is not in violation of this section. This subsection shall only apply to the use of a child passenger restraint system or vehicle safety belt for children less than sixteen (16) years of age being transported in a motor vehicle.

C. The provisions of this section shall not apply to any public carrier for hire. The provisions of this section shall not apply to students four (4) years of age or older who are passengers on a school bus designed for carrying eleven (11) passengers or more and which is manufactured or equipped pursuant to Missouri Minimum Standards for School Buses as school buses are defined in State law.

D. Any driver who violates subparagraph 1, 2 or 3 of paragraph B of this section is subject to a fine of not more than Fifty Dollars (\$50.00) and court costs. If a driver receives a citation for violating subparagraph 1, 2 or 3 of paragraph B, the charges shall be dismissed or withdrawn if the driver prior to his or her hearing provides evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the prosecutor. Any driver who violates subparagraph 4 of paragraph B shall be subject to a fine not to exceed Ten Dollars (\$10.00), and no court costs shall be imposed.

#### SEC. 18.13.031. USE OF SAFETY BELTS.

A. Each driver, except persons employed by the United States Postal Service while performing duties for that Federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passengers of a motor vehicle manufactured after January 1, 1968, operated on a street or highway in this City, and persons less than eighteen years of age operating or riding in a truck on a street or highway in this City, shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation and Safety Act requirements; except that, a child, less than four (4) years of age, shall be protected as required in Section 18.13.030. The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a safety belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities.

B. Each driver of a motor vehicle transporting a child four (4) years of age or more, but less than sixteen (16) years of age, shall secure the child in a properly adjusted and fastened safety belt.

C. For purposes of this section, the term "motor vehicle" means every motor vehicle designed for carrying ten (10) persons or less and used for the transportation of persons; except that, the term "motor vehicle" shall not include motorcycles, motor bikes, motor tricycles and trucks with a licensed gross weight in excess of twelve thousand pounds (12,000#).

D. Every person who violates this section, upon conviction, shall be punished by a fine of not more than Fifty and NO/100 Dollars (\$50.00). All other provisions of law and court rules to the contrary notwithstanding, no court costs may be imposed for violations of this section.

E. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the driver and passengers are not in violation of this section.

**SEC. 18.13.032. FINANCIAL RESPONSIBILITY REQUIRED. (Effective 1/1/98)**

A. An insurance identification card shall be carried in the insured motor vehicle at all times. The operator of a motor vehicle shall exhibit the insurance identification card on the demand of any police officer who lawfully stops such operator or investigates an accident while that officer is engaged in the performance of the officer's duties. A motor vehicle liability insurance policy, a motor vehicle liability insurance binder, or receipt which contains the policy information required in the next paragraph, shall be satisfactory evidence of insurance in lieu of an insurance identification card.

B. An insurance identification card shall include the following information:

1. The name and address of the insurer;
2. The name of the named insured;
3. The policy number
4. The effective dates of the policy, including month, day and year;
5. A description of the insured motor vehicle, including year and make or at least five digits of the vehicle identification number of the word "Fleet" if the insurance policy covers five or more motor vehicles; and
6. The statement "THIS CARD MUST BE CARRIED IN THE INSURED VEHICLE FOR PRODUCTION ON DEMAND" or, if the motor vehicle is self-insured:
  - a. The name of the self-insurer;
  - b. The word "self-insured"; and
  - c. The statement "THIS CARD MUST BE CARRIED IN THE SELF-INSURED MOTOR VEHICLE FOR PRODUCTION ON DEMAND".

C. No person shall fail to display an insurance identification card or other satisfactory evidence of insurance in lieu of such card upon demand of a police officer. However, no person shall be found guilty of violating this section if the operator demonstrates to the court that he or she met the State financial responsibility requirements at the time the police officer wrote the citation.

SEC. 18.13.033. DISPLAY OF INVALID OR ALTERED INSURANCE CARD.

A. No person shall display evidence of insurance to a law enforcement officer knowing there is no valid liability insurance in effect on the motor vehicle described thereon, or knowing the evidence of insurance is illegally altered, counterfeit or otherwise invalid.

SEC. 18.13.034. RIDING IN UNENCLOSED TRUCK BEDS.

A. No person shall operate any truck with a licensed gross weight of less than twelve thousand pounds (12,000#) on any street or highway in this City when any person under the age of eighteen (18) years of age is riding in the unenclosed bed of such truck. No person under eighteen (18) years of age shall ride in the unenclosed bed of such truck when the truck is in operation.

B. The provisions of paragraph A shall not apply to:

1. An employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck;
2. Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck;
3. Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan or exhibition which is authorized by law;
4. Any person riding in the unenclosed bed of a truck if such truck has installed a means of preventing such person from being discharged or such person is secured to the truck in a manner which will prevent the person from being thrown, falling or jumping from the truck;
5. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of participating in a special event and it is necessary that the person ride in such unenclosed bed due to a lack of available seating. "Special event", for the purposes of this section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed;
6. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity; or
7. Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in such truck. For the purpose of this subdivision the term "family" shall mean any person related within the first degree of consanguinity.

SEC. 18.13.035 - 18.13.999 RESERVED.



ARTICLE 14. RAILROAD REGULATIONS

SEC. 18.14.001. OBSTRUCTING STREETS.

A. It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street or highway for purposes of travel for a period of time longer than five (5) minutes; provided that this section shall not apply to a moving train or to one stopped because of an emergency or for repairs necessary before it can proceed safely.

B. No member of a railroad train or yard crew shall be found guilty of violating this section if there is reasonable proof that the member's action was necessary to comply with the orders or instructions, either written or verbal, of the member's employer or its officers or supervisory officials; and provided that nothing in this paragraph shall relieve the employer or railroad from the responsibility placed upon said employer or railroad by this section.

SEC. 18.14.002 - 18.14.999 RESERVED.





ARTICLE 15. METHOD OF STANDING OR PARKING

SEC. 18.15.001. PARKING CLOSE TO CURB.

A. Except when necessary in obedience to traffic regulations or traffic signs or signals, the driver of a vehicle shall not stop, stand, or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within six inches (6") of the edge of the roadway, except as provided in the following paragraphs:

1. Upon those streets which have been marked or sign posted for angle parking and no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.
2. In places where, hours when, and under conditions whereby the stopping and placing of vehicles in excess of eight feet (8') into the roadway from the curb for the loading or unloading of merchandise and materials is permitted.
3. Upon streets other than through streets or one-way streets vehicles may be parked parallel to the curb headed in either direction in residence districts as defined herein, during periods when snow or ice impair the ability to park on hills.
4. Upon streets other than those in the Central Traffic District and on through streets school buses, to pick up or discharge children, may be stopped in a position so as to block temporarily vehicular traffic movements in both directions on the roadway.

B. When parking spaces are designated on public streets or in publicly owned parking lots by lines painted on the pavement, no vehicle shall be parked in such a way as to allow the vehicle to be situated in more than one space, except it shall not be a violation of this section if the vehicle (including attached trailers if any) is of such length or width that it is physically impossible to park such vehicle in a single space. In such situations, the vehicle must take up the fewest number of spaces as physically possible.

SEC. 18.15.002. PLACING OF VEHICLES FOR LOADING OR UNLOADING PERMITTED, WHEN, WHERE, ANGLE LOADING PERMITTED.

It shall be unlawful for the driver of any truck, wagon, or other vehicle to place the same other than parallel to the curb at such an angle and in such manner, without allowing for the safe passage of one line of vehicles, and under such conditions may so place said vehicle for such a period of time as may be necessary and solely for the purpose of loading or unloading of merchandise or materials into or out of any building or other premises.

SEC. 18.15.003. ANGLE PARKING.

A. Thirty Degree (30°) Parking - No street shall be designated or used for the purpose of thirty degree (30°) angle parking thereon unless the roadway thereof has a width of thirty feet (30') or more between the curb and the center line of the roadway or between the curb and the nearest rail of any track.

B. Forty-five Degree (45°) Parking - No street shall be designated or used for the purpose of forty-five degree (45°) angle parking thereon unless the roadway thereof has a width of thirty-three and one-half feet (33-1/2') or more between the curb and the centerline of the roadway or between the curb and the nearest rail of any railroad track.

C. Sixty Degree (60°) Parking - No street shall be designated or used for the purpose of sixty degree (60°) angle parking thereon unless the roadway thereof has a width of thirty-five feet (35') or more between the curb and the centerline of the roadway or between the curb and the nearest rail of any railroad track.

D. Ninety Degree (90°) or Perpendicular Parking - No street shall be designated or used for the purpose of perpendicular or ninety degrees (90°) angle parking thereon unless the roadway thereof has a width of forty-two feet (42') or more between the face of curb and the centerline of the road way or between the face of curb and the nearest rail of any railroad track.

SEC. 18.15.004. LIGHTS ON PARKED VEHICLES.

A. Whenever a vehicle is lawfully parked at nighttime upon any street, no lights need be displayed upon such parked vehicle, except that vehicle shall have red reflecting taillight, lens, or red reflectors on rear.

B. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

SEC. 18.15.005. UNATTENDED MOTOR VEHICLES.

It shall be unlawful for a person driving or in charge of a motor vehicle to permit it to stand unattended without first stopping the engine, locking the ignition, removing the key, and effectively setting the brake thereon, and when standing upon any grade, turning the front wheels to the curb in such manner as to prevent movement of the vehicle.

SEC. 18.15.006. STOPPING, STANDING, AND PARKING - WHERE PROHIBITED.

No driver of a vehicle shall stop, stand, or park, or cause to be placed, left, or stopped, such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal:

- A. Within an intersection.
- B. Within twenty feet (20') of an intersection (except in a parking space officially marked).
- C. On a crosswalk.
- D. Within fifteen feet (15') of the driveway entrance to any fire station.
- E. Within five feet (5') of a fire hydrant.
- F. In front of a private road or driveway or alley or within four feet (4') thereof.
- G. On a sidewalk, parkway, or other public property where no provision therefore has been made.
- H. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

- I. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- J. At any points where street intersections are offset, within the street area between property lines extended to opposite side of streets.
- K. Upon any bridge or other elevated structure upon a street or within a highway tunnel, underpass, or limited access roadways (except when posted to the contrary).
- L. On private property or upon an area developed as an off-street parking facility without the consent of the owner, lessee, or person in charge of any such private property or facility where said facility has adequate posted notice informing the public of restrictions.
- M. When any vehicle is parked upon a private parking facility adjunct to a business concern for an unreasonable length of time or for the purpose of permitting its owner, operator or occupants to loiter, create a nuisance by loud, boisterous or obstreperous conduct to the annoyance of other patrons, employees or the owner of said establishment.
- N. Upon any street other than an alley, in such manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.
- O. In an officially designated bus zone, except that the driver of a passenger vehicle may temporarily stop in the forward position of such zone, if it is on the far side of an intersection or in the rear portion if the zone is on the near side of an intersection. This stop shall be only for the purpose of and while actually engaged in unloading passengers or picking up waiting passengers.
- The provisions of this subsection shall not prohibit loading or unloading materials, provided the operation can be accomplished within fifteen (15) minutes and position in zone shall be as indicated for passenger vehicle.
- P. In any officially designated passenger zone for a period of time longer than necessary for expeditious unloading of passengers or picking up waiting passengers.
- Q. In any officially designated loading zone, for a period of time longer than is required for expeditious loading and unloading of passengers, or the loading or unloading of materials. In no case shall the stop for loading or unloading exceed fifteen (15) minutes.
- R. In any officially designated taxicab zone, excepting that the attending driver of a duly licensed taxicab may so stand or park.
- S. Any Tractor-trailer combination or the trailer portion thereof, on any street when the tractor has been uncoupled, except while being loaded or unloaded or standing by a loading dock for such purpose; and it shall be unlawful for any such trailer to be parked upon any street having an asphaltic-type of pavement, unless each dolly wheel thereof is placed upon a platform of sufficient strength and size to distribute the weight over an area of not less than two hundred (200) square inches.

T. No driver of any vehicle shall park such vehicle in any school loading zone between the hours of 7:30 A.M. and 4:00 P.M., except Saturdays, Sundays, public holidays and when school is not in session.

U. No driver of any vehicle shall park such vehicle within ten feet (10') of the pavement in those areas where signs indicating that parking is prohibited are erected and properly maintained.

V. Stopping, Standing and Parking prohibited in the Central Traffic District. No driver of any vehicle shall stop, stand or park such vehicle along any street in the Central Traffic District where no painted parking stalls exist.

#### SEC. 18.15.007. HANDICAPPED PARKING ZONE REGULATIONS - PENALTY.

A. No driver of a vehicle shall stop, stand, or park, or cause to be placed, left, or stopped, such vehicle in an officially designated handicapped parking zone as provided by Sections 14.01.028 F, 14.01.029 G, 14.01.030 F, and 14.01.031 F herein, or in the access ways with diagonal markings between designated handicapped parking zones, without a validly issued license plate or placard issued pursuant to Section 301.071 RSMo. or Section 301.142 RSMo. or displaying a distinguishing license plate or other symbol issued to a physically disabled person by another state.

B. No driver may use an officially designated handicapped parking zone unless the physically disabled person is in the motor vehicle or the physically disabled person is being delivered or collected by properly marked vehicle which is parked for the sole use of the physically disabled person.

C. Any person violating any of the provisions of this section shall upon conviction therefore be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00).

#### SEC. 18.15.008. PARKING PROHIBITED IN ALLEYS.

A. No driver of any vehicle shall park such vehicle in any alley in the Central Traffic District.

B. No person shall park a vehicle within any alley outside the Central Traffic District in such manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within any alley in such position as to block the driveway entrance to any abutting property.

#### SEC. 18.15.009. STOPPING, STANDING OR PARKING PROHIBITED.

Whenever authorized signs are erected prohibiting the stopping, standing or parking of vehicles at all times, or during certain times, no person shall stop, stand or park on said streets, portions of streets, alleys or municipal off-street parking lots during the times specified on said signs.

#### SEC. 18.15.010. PARKING FOR CERTAIN PURPOSES PROHIBITED.

A. No Person Shall Park a Vehicle Upon Any Street for the Principal Purpose Of:

1. Displaying such vehicle for sale.
2. Greasing or repairing such vehicle, except repairs necessitated by an emergency.
3. Displaying merchandise for sale or for advertising purposes, except as provided herein.

B. Vehicle Stands and Selling from Parked Vehicle - No farmer, gardener, or other person selling or offering for sale from trucks, wagons, carts, or other vehicles, within the limits of the City, any fruits, vegetables, butter, eggs, cheese, meats, game, poultry, and foodstuff of any description, shall stand with such trucks, wagons, carts, or other vehicles for more than thirty (30) minutes at any place on any public street or square, park, parkway, or other public off-street property.

No licensed huckster's, hawker's, or peddler's vehicles shall be allowed to obstruct the passage of any street or alley.

It shall be unlawful for any person to park or keep a vehicle longer than thirty (30) minutes in one block for the purpose of selling merchandise contained in such vehicle.

It shall be unlawful for any person to park vehicles on any through street or on a side street at a location within one hundred feet (100') of a through street, as designed by the City Council, for the purpose of selling merchandise there from between the hours of 7:00 a.m. and 9:00 a.m. and between the hours of 4:00 p.m. and 6:00 p.m.

C. No person shall park a vehicle to include, but not be limited to, motor vehicles, motor homes, trucks, trailers, boats and recreational vehicles upon any private or public parking lot for the principal purpose of displaying such vehicle for sale, with the exception of private residential driveways and private commercial lots that are a part of a business licensed to sell vehicles.

#### SEC. 18.15.011. PARKING TIME LIMITED.

Whenever authorized signs are erected limiting the length of time vehicles may be parked during specified hours on certain street, portion of streets, alleys or municipal off-street parking lots, no person shall park a vehicle for a period longer than specified on said signs.

#### SEC. 18.15.012. RESIDENT PERMIT PARKING IN INDEPENDENCE SQUARE AREA.

This section establishes a parking permit for residents of the Central Traffic District. A resident shall be defined as a person who has their primary place of residence within the Central Traffic District.

A. Any resident of the Central Traffic District may obtain a parking permit through the City Manager's office to allow that resident to park their operable private passenger vehicle(s) in certain off-street municipal or city public parking lots located within the Central Traffic District at any time of the day for any length of time, subject to special events use of such parking areas such as Santa-Cali-Gon, the Farmers Market or the recycling center.

B. The City Manager is authorized to promulgate, maintain and amend as necessary all rules and regulations consistent with the provisions of this section for the administration of the resident parking permit for the Central Traffic District, which rules and regulations may include, but need not be limited to the following:

1. The parking permit shall be issued for a vehicle, the owner or principal operator of which must reside within the Central Traffic District. No more than two (2) resident parking permits shall be issued for each residence. The parking permit will allow a Central Traffic District resident to park in the following off street parking lots:

The public parking lot east of Osage Avenue between Maple Street and Lexington  
(Wild Bill Hickock Lot)

The public parking lot north of Maple Street between Liberty Avenue and Main Street

The public parking lot south of Truman Road between Liberty Avenue and Osage  
Avenue

2. An annual permit fee of Twenty-Five Dollars (\$25.00) is hereby imposed to defray the cost of issuance of each parking permit, such permit fee shall be paid at the time of issuance of the parking permit, and shall be prorated based upon the number of quarters remaining in the calendar year.

3. A parking permit shall be valid for a period of one calendar year, and must be renewed each year prior to December 31<sup>st</sup>.

4. Proof of residence in the Central Traffic District shall be required at the time of application for a parking permit for a vehicle. Proof of residency shall be a valid Missouri driver's license displaying the current residential address. Alternate proof such as a valid residential lease agreement, or a current utility statement with the applicant's name and address is temporarily valid. If an alternate proof of residence is used the resident shall have 60 days to provide the Missouri driver's license.

5. The parking permit shall be permanently affixed and displayed on the lower left portion of the rear window of the vehicle. A parking permit issued under this section shall be personal to the holder thereof and shall be nonassignable and nontransferable. The holder of the permit shall not allow the use of the permit by any other person.

6. Termination of residence within the Central Traffic District by a holder of a permit shall automatically revoke such permit. No person shall use any permit after it has expired or after it has been automatically revoked as provided above.

#### SEC. 18.15.013 PARKING TRUCK, TRAILER, ETC., IN RESIDENCE DISTRICT.

It shall be unlawful for the driver, owner, or operator of any bus, truck, tractor, trailer, recreational vehicle, house-trailer, tractor-trailer, or truck-trailer combination to park, or cause to be parked on any street in a residence district, as defined in Article 1 of this chapter, except that an operator may park said vehicle while actually and continuously engaged in loading or unloading; provided, however, that said vehicles may be parked in front of a place of business in such district during business hours of said business, but subject to all other ordinances regulating parking at said location. Trucks with a licensed weight of twelve thousand pounds (12,000<sup>#</sup>) or less will be permitted to operate and park in residence districts subject to other provisions of this Chapter.

Notwithstanding other provisions in this section, recreational vehicles may be parked temporarily on a street in a residential area for a period not to exceed forty-eight (48) hours for purposes of loading or unloading said recreational vehicles.

#### SEC. 18.15.014. FIRE LANES.

A. No driver of any vehicle, except an emergency vehicle, shall stop, stand or park in any area on any public or private property where notice is posted indicating a fire lane or Fire Department connection.

B. Any person violating any of the provisions of this section shall upon conviction thereof be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00).

SEC. 18.15.015. SEPARATE VIOLATION.

When a traffic violation ticket is placed upon any vehicle, additional tickets may be placed thereon for each overtime parking violation or fraction thereof that said vehicle remains in such parking space. Each separate overtime parking period or fraction thereof shall constitute a separate and distinct violation.

SEC. 18.15.016. REGULATIONS NOT EXCLUSIVE.

The provisions of this Article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

SEC. 18.15.017- 18.15.999 RESERVED.

**ARTICLE 16 RESERVED**

**ARTICLE 17 RESERVED**





ARTICLE 18. REGULATIONS FOR BICYCLES AND MOTORIZED BICYCLES

SEC. 18.18.001. TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES AND MOTORIZED BICYCLES.

Every person riding a bicycle or motorized bicycle 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 vehicle by the provisions of this chapter, except as to special regulations in this Article and except as to those provisions of this Article which by their nature can have no application.

SEC. 18.18.002. RIDING ON BICYCLES AND MOTORIZED BICYCLES.

A. A person propelling a bicycle or motorized bicycle shall not ride other than astride a permanent and regular seat attached thereto.

B. No bicycle or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

SEC. 18.18.003. RIDING ON ROADWAYS AND BICYCLE PATHS.

A. Every person operating a bicycle or motorized bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

B. Persons riding bicycles or motorized 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.

C. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

SEC. 18.18.004. SPEED.

No person shall operate a bicycle or motorized bicycle at a speed greater than is reasonable and prudent under the condition then existing.

SEC. 18.18.005. EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle or motorized bicycle emerging from an alley, driveway, or building shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

SEC. 18.18.006. CARRYING ARTICLES.

No person operating a bicycle or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars.

SEC. 18.18.007. PARKING.

No person shall park a bicycle or motorized bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or motorized bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

**SEC. 18.18.008. RIDING ON SIDEWALKS.**

- A. No person shall ride a bicycle upon a sidewalk within a business district.
- B. No person thirteen (13) or more years of age shall ride a bicycle upon any sidewalk in any district.
- C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
- D. No person shall ride a motorized bicycle upon a sidewalk in any district.

**SEC. 18.18.009. LAMPS AND OTHER EQUIPMENT ON BICYCLES AND MOTORIZED BICYCLES.**

- A. Every bicycle and motorized bicycle when in use on a roadway during the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with the following:
  - 1. A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at five hundred feet (500');
  - 2. A rear-facing red reflector, at least two (2) square inches in reflective surface area, on the rear which shall be visible at night under normal atmospheric conditions on a straight level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at six hundred feet (600');
  - 3. Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes or lower leg, visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred feet (200'); and
  - 4. Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred feet (300'). The provisions of this subdivision shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.
- B. No bicycle or motorized bicycle shall be equipped with, nor shall any person use upon a bicycle or motorized bicycle any siren or whistle.
- C. Every bicycle and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within twenty-five feet (25') from a speed of ten miles per hour (10 mph) on dry, level, clean pavement.

**SEC. 18.18.010. MOTORIZED BICYCLES, OPERATORS LICENSE REQUIRED, OPERATION ON INTERSTATE HIGHWAY PROHIBITED.**

- A. No person shall operate a motorized bicycle on any public roadway in this City unless such person has a valid license to operate a motor vehicle.

B. No motorized bicycle may be operated on any public thoroughfare located within this City which has been designated as part of the Federal Interstate Highway System.

SEC. 18.18.011 - 18.18.999 RESERVED.



ARTICLE 19. EQUIPMENT

SEC. 18.19.001. MECHANICALLY DEFECTIVE MOTOR VEHICLES.

No person shall drive a motor vehicle on the streets of the City which is in such defective mechanical condition as to be reasonably likely, because of such defective mechanical condition, to cause damage to persons or property while being so driven.

SEC. 18.19.002. LIGHTS.

A. No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the nighttime or any other time the weather conditions require usage of the motor vehicle's windshield wipers or during periods of fog, unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as required in this section, provided however that any person who violates this section as it relates to the usage of lighted lamps required due to weather conditions or fog shall only be fined Ten and NO/100 Dollars (\$10.00) and no court costs shall be assessed. No person shall use on any vehicle any approved electric lamp or similar device unless the light source of such lamp or device complies with the conditions of approval as to focus and rated candlepower.

B. Except as otherwise provided in this section, every motor vehicles other than a motorcycle shall be equipped with at least two (2) headlamps mounted at the same level with at least one (1) on each side of the front of the vehicle. Every motorcycle shall be equipped with at least one (1), and not more than two (2), approved headlamps. Every motorcycle equipped with a sidecar or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front.

C. Approved single-beam headlamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet (25') ahead project higher than a level of five inches (5") below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches (42") above the level on which the vehicle stands at a distance seventy-five feet (75') ahead. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet (200').

D. Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp, or combination thereof, on motor vehicles other than motorcycles shall be so arranged that the driver may select at will between distributions of light project to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet (350') ahead for all conditions of loading.
2. There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet (100') ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

E. Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the

vehicle, subject to the following requirements and limitations: Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet (500'), or is within three hundred feet (300') to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five feet (25') ahead, and in no case higher than a level of forty-two inches (42") above the level upon which the vehicle stands at a distance of seventy-five feet (75') ahead.

## F.

1. Every motor vehicle shall be equipped with at least two rear lamps, not less than fifteen inches (15") or more than seventy-two inches (72") above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet (500') to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet (50') to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this State, when operated on a street or highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet (300') to fifty feet (50') from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps.

3. Every new passenger car, new commercial motor vehicle, and omnibus with a capacity of more than six passengers registered in this State after January 1, 1966, when operated on a street or highway, shall also carry at the rear at least two (2) approved red reflectors, at least one (1) at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred (500') to fifty feet (50') from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this section and shall be mounted upon the vehicle at a height not to exceed sixty inches (60") nor less than fifteen inches (15") above the surface upon which the vehicle stands.

G. Any motor vehicle may be equipped with not to exceed three auxiliary lamps mounted on the front at a height not less than twelve inches (12") nor more than forty-two inches (42") above the level surface upon which the vehicle stands.

H. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with a backup lamp either separately or in combination with another lamp; except that no such backup lamp shall be continuously lighted when the motor vehicle is in forward motion.

I. Any motor vehicle may be equipped with not to exceed one spotlamp, but every lighted spotlamp shall be so aimed and used so as not to be dazzling or glaring to any person.

J. Headlamps, when lighted, shall exhibit lights substantially white in color; auxiliary lamps, cowlamps and spotlamps, when lighted, shall exhibit lights substantially white, yellow or amber in color. No person shall drive or move any vehicle or equipment, except a school bus when used for school purposes or an emergency vehicle, upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof.

K. Any lighted lamp or illuminating device upon a motor vehicle other than headlamps, spotlamps, front direction signals or auxiliary lamps which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet (75') from the vehicle. Alternately flashing warning signals may be used on school buses when used for school purposes and on motor vehicles when used to transport United States mail from post offices to boxes of addressees thereof and on emergency vehicles as defined in Section 304.022 RSMo, but are prohibited on other motor vehicles and motorcycles, except as a means for indicating a right or left turn.

L. At the times when lighted lamps are required, at least two (2) lighted lamps shall be displayed, one (1) on each side of the front of every motor vehicle, except a motorcycle, except when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as required in this section, is also equipped with an auxiliary lamp or a spotlight or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a street or highway.

M.

1. Whenever a vehicle is lawfully parked upon a street or highway during nighttime and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet (500') upon such street or highway no lights need be displayed upon such parked vehicle.

2. Whenever a vehicle is parked or stopped upon a highway or shoulder adjacent thereto, whether attended or unattended, during nighttime and there is not sufficient light to reveal any person or object within a distance of five hundred feet (500') upon the highway, a vehicle so parked or stopped shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred feet (500') to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred feet (500') to the rear of the vehicle, and the location of the lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. Any lighted headlamp upon a parked vehicle shall be depressed or dimmed.

N. All vehicles, including agricultural machinery or implements, road machinery, road rollers, traction engines and farm tractors not in this chapter specifically required to be equipped with lamps, shall be equipped during the times when lighted lamps are required with at least one (1) lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet (500') to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet (500') to the rear, and such lamps and lanterns shall exhibit lights to the sides of such vehicle.

O. No motor vehicle or trailer shall be operated on a public street or highway of this State while equipped with any device which emits an electronic message directed to the front, side or rear of the exterior of the vehicle or trailer. For the purposes of this section, the term “message” shall include words, phrases, sentences, numbers and other symbols or combinations thereof. This section shall not prohibit the lawful use of a lamp which illuminates the rear registration marker, or the use of a route indicator on a bus or other public transportation vehicle, or messages that display proper names of firms or corporations.

P. Any person who shall place or drive or cause to be placed or driven, upon or along any street or highway of this State any animal-driven vehicle whatsoever, whether in motion or at rest, shall at nighttime have attached to every such vehicle at the rear thereof a red taillight or a red reflecting device of not less than three inches (3") in diameter of effective area or its equivalent in area. When such device shall consist of reflecting buttons there shall be no less than seven (7) of such buttons covering an area equal to a circle with a three-inch (3") diameter. The total subtended effective angle of reflection of every such device shall be no less than sixty degrees (60°) and the spread and efficiency of the reflected light shall be sufficient for the reflected light to be visible to the driver of any motor vehicle approaching such animal-drawn vehicle from the rear of a distance of not less than five hundred feet (500'). In addition, any person who operates any such animal-drawn vehicle during nighttime shall have at least one light flashing at all times the vehicle is on any street or highway of this State. Such light or lights shall be amber in the front and red in the back and shall be placed on the left side of the vehicle at a height of no more than six feet (6') from the ground and shall be visible from the front and the back of the vehicle at a distance of at least five hundred feet (500').

Q. No person shall operate on any street or highway any slow-moving vehicle or equipment, any animal-drawn vehicle, or any other machinery, designed for use or normally operated at speeds less than twenty-five miles per hour (25 mph), including all road construction or maintenance machinery, except when engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs, which normally travels or is normally used at a speed of less than twenty-five miles per hour (25 mph) unless there is displayed on the rear thereof an emblem as described in, and displayed as provided in the next section. The requirement of such emblem shall be in addition to any lighting devices required by subsection N.

R. The emblem required by the previous section shall be of substantial construction, and shall be a base down equilateral triangle of fluorescent yellow-orange film or equivalent quality paint with a base of not less than fourteen inches (14") and an altitude of not less than twelve inches (12"). Such triangle shall be bordered with reflective red strips having a minimum width of one and three-fourths inches (1-3/4"), with the vertices of the overall triangle truncated such that the remaining altitude shall be a minimum of fourteen inches (14"). Such emblem shall be mounted on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a height of not less than four feet (4') above the roadway, and shall be maintained in a clean, reflective condition. The provisions of this section shall not apply to any vehicle or equipment being operated on a gravel or dirt surfaced public highway.

S. No emblem shall be required on machinery or equipment pulled or attached to a farm tractor providing the machinery or equipment does not extend more than twelve feet (12') to the rear of the tractor and permits a clear view of the emblem on the tractor by vehicles approaching from the rear.

T. For purposes of this section, “approved” shall mean approved by the Director of the Missouri Department of Public Safety.



**SEC. 18.19.003. SAFETY GLASS.**

No motor vehicle shall be operated upon any street unless the vehicle is equipped with safety glass as required by Missouri law.

**SEC. 18.19.004. HORNS AND WARNING DEVICES.**

Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the street or highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

**SEC. 18.19.005. EXCESSIVE NOISE.**

No vehicle shall be driven in such a manner or condition that excessive or unnecessary noises shall be made by its machinery, motor, horn, warning devices or other parts, or by any improperly loaded cargo.

**SEC. 18.19.006. MUFFLERS.**

The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Muffler cutouts shall not be used. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.

**SEC. 18.19.007. MIRRORS.**

All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

**SEC. 18.19.008. BRAKES.**

A. All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

B. It shall be unlawful for any person to use, operate or engage any compression release engine braking system, commonly referred to as a jake brake, jacobs brake, engine brake, or similar term, within the City limits, except in an emergency. Signs indicating the prohibition against use of such devices shall be prominently displayed at appropriate locations along officially designated truck routes, as determined by the Director of Public Works.

**SEC. 18.19.009. WINDSHIELDS MUST BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS - SUN SCREENING REGULATIONS.**

A. No person shall drive any motor vehicle with any object suspended or mounted in any manner between the driver and the front windshield or with any sign, poster, snow, ice, cracks or breaks, or other nontransparent material upon the front windshield, side wings, or side or rear windows of such vehicle, which obstructs or interferes with the driver's clear view of the street or which might divert the driver's attention from the street.

B. The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle, and shall be maintained in good working order.

C. Any person may operate a motor vehicle with front sidewing vents or windows located immediately to the left and right of the driver that have a sun screening device, in conjunction with safety glazing material, that has a light transmission of thirty-five percent (35%) or more plus or minus three percent (3%) and a luminous reflectance of thirty-five percent (35%) or less plus or minus three percent (3%). Except as provided in subparagraph 2 of this section, any sun screening device applied to front sidewing vents or windows located immediately to the left and right of the driver in excess of the requirements of this section shall be prohibited without a permit pursuant to a physician's prescription as described below. A permit to operate a motor vehicle with front sidewing vents or windows located immediately to the left and right of the driver that have a sun screening device, in conjunction with safety glazing material, which permits less light transmission and luminous reflectance than allowed under the requirements of this subsection, may be issued by the State to a person having a serious medical condition which requires the use of a sun screening device if the permittee's physician prescribes its use. The permit shall allow operation of the vehicle by any titleholder or relative within the second degree by consanguinity or affinity, which shall mean a spouse, each grandparent, parent, brother, sister, niece, nephew, aunt, uncle, child and grandchild of a person, who resides in the household. Except as provided in subparagraph 1 of this section, all sun screening devices applied to the windshield of a motor vehicle are prohibited.

1. This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles, provided that such material does not interfere with the driver's normal view of the road. This section shall not prohibit factory installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

2. Any vehicle licensed with a historical license plate shall be exempt from the requirements of this section.

#### SEC. 18.19.010. TOWLINES, TRAILERS AND TOWED VEHICLES.

When one vehicle is towing another, the connecting device shall not exceed fifteen feet (15'). During the nighttime, the required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is connected to the towing vehicle by a center-locking ball located over, or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. This section shall not apply to wreckers towing vehicles secured to the towing vehicle by a fifth-wheel type connection, to farm implements or to vehicles not required by the State of Missouri to be registered.

#### SEC. 18.19.011. MECHANICAL OR ELECTRICAL SIGNAL DEVICES REQUIRED.

When a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and the rear of such vehicle, then that vehicle must be equipped to give signals by signal light or device. A vehicle shall be considered as so constructed or loaded that a hand and arm signal would not be visible both to the front and rear when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load exceeds twenty-four inches (24"), or when the distance from the center of the top of the steering post to the rear limit of the body or load thereon exceeds fourteen feet (14'), which limit of fourteen feet (14') shall apply to single vehicles or combinations of vehicles. The

provisions of this section shall not apply to any trailer which does not interfere with a clear view of the hand signals of the operator or of the signaling device upon the vehicle pulling such trailer or to new vehicles registered within this State before January 1, 1954.

#### SEC. 18.19.012. LAMP OR FLAG ON PROJECTING LOAD.

Whenever the load upon any vehicle extends more than five feet (5') from the rear of such vehicle, there shall be displayed at the extreme ends of the load, during the nighttime, a red light or lantern plainly visible from a distance of at least five hundred feet (500') to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than sixteen inches (16') square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

#### SEC. 18.19.013. STUDED TIRES PROHIBITED.

No person shall operate any motor vehicle upon any street or highway between the first day of April and the first day of November while the motor vehicle is equipped with tires containing metal or carbide studs.

#### SEC. 18.19.014. COMMUNICATIONS EQUIPMENT IN MOTOR VEHICLES.

A. No person shall equip any motor vehicle with a communications device tuned or fixed to receive or transmit messages on any frequency used by the Police Department, or have or use the same in any motor vehicle within the City limits, unless such motor vehicle is used or owned by the City of Independence, Missouri, or other publicly owned and controlled law-enforcement agency, or, that person is an amateur radio operator with a Federal Communications Commission License, without first securing a permit from the Chief of Police.

In any application so made, it shall be shown to the Chief of Police that the use of the appliance or equipment herein is required by the applicant for business, occupation or employment, or will be available as an aid in enforcement work in case of public emergency.

B. As used in this Paragraph, "traffic control signal preemption device" means any device, including any mechanical or electrical device, that emits a pulse or light or other signals that when received by a detector attached to a traffic control signal, changes that traffic control signal to a green indication, or if the traffic control signal is already green, extends the duration of the green indication, or in any way alters or interferes with the cycle of the traffic control signal.

1. Except as provided in subparagraph 3, no driver may permit a traffic control signal preemption device to be operated in a motor vehicle, or transported in the passenger compartment of a motor vehicle.
2. No retailer or manufacturer shall sell a traffic control signal preemption device to any person for use in any manner prohibited by this paragraph.
3. Installation and use of traffic control signal preemption devices are authorized in:
  - a. Emergency vehicles, when using authorized siren and red or blue lights; and
  - b. Vehicles operated by the City when actually engaged in snow removal or the testing of traffic control signal preemption devices.

SEC. 18.19.015. MOTOR VEHICLE ELEVATION.

A. No person shall operate any motor vehicle on the streets of this City, the body of which has been altered in such a manner that the front or rear of the vehicle is raised at such an angle as to obstruct the operator's vision of the street in front or to the rear of the vehicle.

B. Every motor vehicle which is licensed in this state and operated upon the streets of this City shall be equipped with front and rear bumpers if such vehicle was equipped with bumpers as standard equipment. This section shall not apply to motor vehicles designed or modified primarily for off-street purposes while such vehicles are in tow or to motorcycles, or to motor vehicles registered as historic motor vehicles when the original design of such vehicles did not include bumpers nor shall the provisions of this section prohibit the use of drop bumpers. Maximum bumper heights of both the front and rear bumpers of motor vehicles shall be determined by weight category of gross vehicle weight rating (GVWR) measured from a level surface to the highest point of the bottom of the bumper when the vehicle is unloaded and the tires are inflated to the manufacturer's recommended pressure. Maximum bumper heights are as follows:

	Maximum front bumper height	Maximum rear bumper height
Motor vehicles, except commercial motor vehicles	22 inches	22 inches
Commercial motor vehicles (GVWR)		
4,500 lbs and under	24 inches	26 inches
4,501 through 7,500	27 inches	29 inches
7,501 through 9,000	28 inches	30 inches

SEC. 18.19.016 - 18.19.999. RESERVED.

ARTICLE 20. LIMITATIONS ON OPERATIONS OF COMMERCIAL MOTOR VEHICLES

SEC. 18.20.001. OPERATION OF COMMERCIAL MOTOR VEHICLE EXCEEDING LICENSED WEIGHT.

No person shall operate a commercial motor vehicle which exceeds the gross weight for which it is licensed as indicated on the commercial motor vehicle license plate.

SEC. 18.20.002. COMMERCIAL MOTOR VEHICLE EQUIPMENT.

A. No person shall drive or move or cause or knowingly permit to be driven or moved on any street or highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required by this chapter.

B. No person shall operate any commercial motor vehicle, as defined in this chapter, and used in a commercial enterprise, unless such vehicle is equipped and operated as required by parts 390 through 397, title 49 of the Code of Federal Regulations, as amended, regardless of whether such vehicle is used in intrastate or interstate transportation. This section shall not apply to school buses.

C. Members of the police department are authorized to enter the cargo area of a commercial motor vehicle to inspect the contents when reasonable grounds exist to cause belief that the vehicle is transporting hazardous materials as defined in this chapter.

D. Every commercial motor vehicle and trailer and all parts thereof shall be maintained in a safe condition at all times.

SEC. 18.20.003. VEHICLES TRANSPORTING HAZARDOUS MATERIALS.

It is unlawful for any person to operate any vehicle upon any highway in this State, whether in intrastate transportation or interstate transportation, transporting materials defined and classified as hazardous by the United States Department of Transportation pursuant to title 49 of the Code of Federal Regulations, as amended, unless such vehicle is equipped with the equipment required by and is operated in accordance with safety and hazardous materials regulations for such vehicles as adopted by the United States Department of Transportation, specifically parts 171 through 181, title 49 of the Code of Federal Regulations, as amended.

SEC. 18.20.004. VEHICLE WEIGHT, SIZE AND LOAD.

A. The provisions of this section governing size, weight and load shall not apply to vehicles moved solely by human power, fire apparatus or road machinery, or to implements of husbandry, including farm tractors temporarily moved upon a street or highway, or to a vehicle operated under the terms of a special permit issued as provided in this Article.

B. The total outside width of any vehicle or the load thereon shall not exceed one hundred two inches (102"), except as otherwise provided in this Article.

C. No vehicle, including any load thereon, shall exceed a height of fourteen feet eight inches (14' 8").

D. No motor vehicle, except combinations coupled together, including any load thereon, shall exceed a length of forty feet (40') extreme overall dimension, inclusive of front and rear bumpers.

E. No combination of truck-tractor, semi-trailer or trailer coupled together shall consist of more than two towed units; and no such combination of vehicles, including any load thereon, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty-five feet (65'), except as otherwise provided in this Article.

F. Subject to any other provisions of this Article limiting the length of vehicles and loads, the load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet (3') beyond the foremost part of the vehicle, and the load upon any vehicle operated alone, or the load upon the rear vehicle of a combination of vehicles, shall not extend more than six feet (6') beyond the rear of the bed or body of such vehicle, other than poles, pipes or structural material which cannot be dismembered when transported upon a pole trailer.

G. No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, provided that this section shall not prohibit the necessary spreading of any substance in street or highway maintenance or construction operations.

H. No person shall operate on any street or highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the street or highway.

I. Any vehicle operating on a street or highway with a load of dirt, sand, gravel, garbage or any other material susceptible to being blown, dropped, spilled, leaked, or which otherwise may escape therefrom, shall be covered so as to prevent spillage; except that this subsection shall not prohibit the necessary spreading of any substance connected with street or highway maintenance, construction or snow removal.

J. The gross weight imposed on a bridge maintained by the City by the wheels of any one axle of a vehicle shall not exceed 18,000 pounds.

K. The gross weight imposed on a street or highway by the wheels of any one axle of a vehicle shall not exceed 20,000 pounds.

L. The gross weight imposed on a street or highway by the wheels of any one axle of a motor vehicle operating exclusively within the City or within two (2) miles of the corporate limits of the City or within the commercial zone as defined by Section 304.190.3 RSMo, shall not exceed 22,400 pounds.

M. For the purposes of this Article, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two (2) parallel transverse vertical planes forty inches (40") apart, extending across the full width of the vehicle.

N. The gross weight imposed on a bridge maintained by the City by the wheels of any tandem axle of a vehicle shall not exceed 32,000 pounds.

O. The gross weight imposed on a street or highway by the wheels of any tandem axle of a vehicle shall not exceed 34,000 pounds.

P. For the purposes of this Article, a tandem axle shall be any two or more consecutive axles whose centers are more than forty inches (40") and not more than ninety-six inches (96") apart, individually attached to or articulated from a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles. A tandem-axle load shall be the total load transmitted to the road by all wheels whose centers are included between two (2) parallel transverse vertical planes more than forty inches (40") and not more than ninety-six inches (96") apart extending across the full width of the vehicle.

Q. Subject to the limit upon the weight imposed upon the street or highway through single and tandem axles as set forth in this section, the total gross weight with load imposed upon a street or highway by any group of two (2) or more consecutive axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of the group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in Feet Between the Extremes of Any Group of Two or More Consecutive Axles  
Maximum Load in Pounds

Feet	<u>2 Axles</u>	<u>3Axles</u>	<u>4 Axles</u>	<u>5 Axles</u>	<u>6 Axles</u>
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000

<u>Feet</u>	<u>2 Axles</u>	<u>3Axles</u>	<u>4 Axles</u>	<u>5 Axles</u>	<u>6 Axles</u>
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36	60,000	66,000	70,500	75,500	
37	60,000	66,500	71,000	76,000	
38	60,000	67,500	72,000	77,000	
39	60,000	68,000	72,500	77,500	
40	60,000	68,500	73,000	78,000	
41	60,000	69,500	73,500	78,500	
42	60,000	70,000	74,000	79,000	
43	60,000	70,500	75,000	80,000	
44	60,000	71,500	75,500	80,000	
45	60,000	72,000	76,000	80,000	
46	60,000	72,500	76,500	80,000	
47	60,000	73,500	77,500	80,000	
48	60,000	74,000	78,000	80,000	
49	60,000	74,500	78,500	80,000	
50	60,000	75,500	79,000	80,000	
51	60,000	76,000	80,000	80,000	
52	60,000	76,500	80,000	80,000	
53	60,000	77,500	80,000	80,000	
54	60,000	78,000	80,000	80,000	
55	60,000	78,500	80,000	80,000	
56	60,000	79,500	80,000	80,000	
57	60,000	80,000	80,000	80,000	

R. Subject to the limit upon the weight imposed through any one axle or through any tandem axle as provided in this section, the total gross weight with load imposed upon any bridges generally considered by the State Highway and Transportation Commission to be on the supplementary system or upon any bridges which are under the jurisdiction of any maintained by the City shall not exceed the gross weight given for the respective distance between the first and last axle of the total group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in Feet Between the Extreme Axles	Maximum Load in Pounds
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	33,580
10	34,550
11	35,510



12	36,470
13	37,420
14	38,360
15	39,300
16	40,230
17	41,160
18	42,080
19	42,990
20	43,900
21	44,800
22	45,700
23	46,590
24	47,470
25	48,350
26	49,220
27	50,090
28	50,950
29	51,800
30	52,650
31	53,490
32	54,330
33	55,160
34	55,980
35	56,800
36	57,610
37	58,420
38	59,200
39	60,010
40	60,800
41	61,580
42	62,360
43	63,130
44	63,890
45 or over	64,650

S. The State Highway and Transportation Commission with respect to bridges on the supplementary system, or the director with respect to bridges on City streets and highways, may determine and declare that certain designated bridges may legally be subjected to the higher limits described in paragraph “S” of this section. Such bridges shall be designated by special signs indicating the single-axle load limit, tandem-axle load limit and gross weight limit.

**SEC. 18.20.005. AUTHORITY TO WEIGH VEHICLES AND REQUIRE REMOVAL OF EXCESS LOADS.**

A. Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the vehicle and load by means of either portable or stationary scales and may require that such vehicle be driven to the nearest public scales if such scales are within two (2) miles.

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

C. It shall be unlawful for a driver of a vehicle to fail or refuse to stop and submit the vehicle and load to a weighing or to fail or refuse when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this Article.

#### SEC. 18.20.006. PERMITS FOR EXCESS SIZE AND WEIGHT.

A. The director, and the State Highway and Transportation Commission, with respect to streets and highways under their jurisdiction, may, in their discretion, upon application in writing and good cause being shown therefore, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Article or otherwise not in conformity with the provisions of this Article, upon any street or highway under the jurisdiction of the party granting such permit and for the maintenance of which such party is responsible.

B. The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular street or highway for which permit to operate is requested, and whether such permit is requested for a single trip or for continuous operation.

C. The director and the State Highway and Transportation Commission are authorized to issue or withhold such permit at their discretion, or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicles described may be operated on the streets or highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicles when necessary to protect the safety of street and highway users, or to protect the efficient movement of traffic from unreasonable interference, or to protect the street or highway from undue damage to the road foundations, surfaces or structures. They may require such undertaking or other security as may be deemed necessary to compensate for any injury to any street, highway or street or highway structure.

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

E. No person shall move any vehicle, equipment or load which is greater in height, width, length or weight than is provided for in this chapter over any street without approval of the route and the time of movement by the director. The director shall not approve the movement of such vehicle, equipment or load unless the owner or operator of the vehicle, equipment or load makes application for a permit. The director, upon granting of a permit of approval for the route and time of movement of such vehicle, equipment or load, shall collect from the applicant and deposit in the City treasury a service fee as established from time to time.

#### SEC. 18.20.007. LIABILITY FOR DAMAGE TO STREET OR DAMAGE TO HIGHWAY STRUCTURE.

A. Any person driving any vehicle upon any street or highway or highway structure shall be liable for all damage which the street, highway or structure may sustain as a result of any illegal operation, driving or moving of such vehicle or as a result of operating, driving or moving any vehicle weighing in excess of the maximum weight in this Article, but authorized by a special permit issued as provided in this Article.

B. Whenever such driver is not the owner of such vehicle, but is so operating, driving or moving the vehicle with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage.

C. Such damage may be recovered in a civil action brought by the City Counselor in behalf of the City or by authorities in control of such streets or highways or highway structures.

SEC. 18.20.008. TRUCK ROUTES.

A. When the director makes regulations prohibiting trucks from using certain streets or parts of streets, no person shall operate any truck upon any of the streets or parts of streets described in the regulations; except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise or for providing services and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

B. The director is hereby authorized, on the basis of an engineering and traffic investigation, to erect and maintain official traffic control devices on any streets or parts of streets to impose vehicle size restrictions. When such official traffic control devices are so erected, no person shall disobey the restrictions on the devices.

SEC. 18.20.009 - 18.20.999 RESERVED.



ARTICLE 21. USE OF ROADWAY

SEC. 18.21.001. 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 the right half of a roadway is closed to traffic while under construction or repair.
3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon.
4. Upon a roadway designated and signposted for one-way traffic.
5. When placing such vehicle in position for and when such vehicle is lawfully making a left turn.

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 when 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 or driveway.

SEC. 18.21.002. DIVIDED STREETS.

On all streets divided by a parkway, walk, medial strip, rotary traffic island, sunken way, or viaduct or other physical barrier or markings, vehicles shall keep to the right of such divisions, unless otherwise marked or posted.

SEC. 18.21.003. 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.

SEC. 18.21.004. 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:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof, at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
2. 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, and shall not increase speed until completely passed by the overtaking vehicle.

**SEC. 18.21.005. WHEN OVERTAKING ON THE RIGHT SIDE IS PERMITTED.**

A. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn.
2. Upon a street with unobstructed pavement, not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction and so marked by visible lane markings.
3. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles and so marked by visible lane markings.

B. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

**SEC. 18.21.006. 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 safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet (100') of any vehicle approaching from the opposite direction.

**SEC. 18.21.007. FURTHER LIMITATIONS ON DRIVING TO LEFT OF CENTER OF ROADWAY.**

A. No vehicle shall at any time be driven to the left side of the roadway under the following conditions.

1. When approaching the crest of a grade or upon a curve in the roadway 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 one hundred feet (100') of or traversing any uncontrolled intersection or railroad grade crossing.
3. When the view is obstructed upon approaching within one hundred feet (100') of any bridge, viaduct, or tunnel.

B. The foregoing limitations shall not apply upon a one-way roadway.

**SEC. 18.21.008. SIGNS PROHIBITING PASSING.**

It shall be unlawful for the driver of any vehicle to overtake and pass another vehicle on any section of roadway where signs or markings have been installed prohibiting such passing.

**SEC. 18.21.009. RACING ON STREETS, ROADWAYS OR FREEWAYS.**

A. No person shall drive any vehicle on a street, roadway or freeway in any race, speed competition or contest, 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. For purposes of this section, the following words and phrases shall have the respective meanings:

**DRAG RACE** means the operation of two (2) or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or in operation of one (1) 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.

**RACE** means the use of one or more vehicle 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 routes.

**SEC. 18.21.010. DRIVING ON ROADWAYS LANED FOR TRAFFIC.**

Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

1. 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.
2. Upon a two-way roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.
3. Official signs or marking may be installed directing slow moving traffic to use a designated lane or to designate 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 sign or marking.

**SEC. 18.21.011. FOLLOWING TOO CLOSELY.**

A. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the roadway. For purposes of this section, a driver of a motor vehicle who has less than one second of traveling space between the driver's vehicle and another vehicle traveling in the same direction in the same lane of traffic shall be presumed to be following too closely.

B. The driver of any truck or slowly moving equipment, when traveling upon the streets and following another truck, shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck from overtaking and passing any like vehicle or other vehicles.

SEC. 18.21.012. PASSENGER LOADING.

The driver of a motor vehicle shall stop such vehicle with the curb-side wheels as near as practicable to the curb when loading or unloading passengers.

SEC. 18.21.013. ALL TERRAIN VEHICLES - OPERATION OF IN CERTAIN MANNER PROHIBITED.

No person shall operate an "All Terrain Vehicle" upon the public streets, including rights-of-way, alleys, sidewalks, or other public property of the City of Independence, Missouri; except all terrain vehicles owned and operated by a governmental agency for official use.

SEC. 18.21.014 - 18.21.999 RESERVED.

ARTICLE 22. RESERVED.



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## ARTICLE 23. TRAFFIC VIOLATIONS BUREAU

### SEC. 18.23.001. TRAFFIC VIOLATIONS BUREAU CREATED.

A. The Municipal Presiding Judge shall establish a traffic violations bureau to assist the Municipal Court with the clerical work of traffic cases. The bureau shall be in the charge of the Clerk of the Municipal Court and shall be open at such hours as the Presiding Municipal Judge may designate. It shall be the function of the violations clerk to accept appearances, waiver of trial, plea of guilt, and payment of fine and costs in traffic offenses, subject to the limitations hereinafter prescribed. The violation clerk shall serve under the direction and control of the Presiding Municipal Judge.

B. The Presiding Municipal Judge shall designate the specified offenses under the traffic ordinances of the City in respect to which payment of fines and costs may be accepted by the traffic violation bureau in satisfaction thereof, and shall specify by suitable schedules the amount of such fines and costs for first, second, and subsequent offenses, provided such fines are within the limits declared by this chapter, and shall further specify what number of such offenses shall require appearance before the Municipal Judge(s). The designated traffic offenses shall not include in any event cases involving property damage or personal injury, operation of a motor vehicle while under the influence of intoxicating liquor or drugs, speeding (in excess of 24 mph over the lawful speed), driving without operator's license, but not expired license when within sixty (60) days after expiration, and leaving the scene of an accident.

### SEC. 18.23.002. DUTIES OF TRAFFIC VIOLATIONS BUREAU.

The following duties are hereby imposed upon the Traffic Violations Bureau in reference to traffic offenses:

1. It shall accept designated fines and costs, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney.
2. It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.
3. It shall keep an easily accessible record, of all moving violations of which each person has been guilty during the two (2) preceding years, whether such guilt was established in court or in the traffic violation bureau.
4. It shall keep records which shall contain all pertinent data relative to the original procedure and ultimate disposition of each case and make such reports to the Municipal Court, City, and State as may be required.
5. It shall follow such procedure as may be prescribed by the traffic ordinances of the City.

### SEC. 18.23.003. WHEN PERSON CHARGED MAY ELECT TO APPEAR AT BUREAU OR BEFORE MUNICIPAL COURT.

A. Any person charged with an offense for which payment of a fine may be made to the Traffic Violations Bureau shall have the option of paying such fine within the time specified at the Traffic Violations Bureau upon entering a plea of guilty and upon waiving appearance in court, or may exercise his or her constitutional right to have such case heard by the Municipal Court by appearing in the Municipal Court.

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B. The payment of a fine to the bureau shall be deemed an acknowledgment of conviction of the alleged offense, and the bureau, upon accepting the prescribed fine, shall make available a receipt to the violator acknowledging payment thereof.

SEC. 18.23.004 - 18.23.999. RESERVED.

ARTICLE 24. PARTIES, PENALTIES AND PROCEDURE

SEC. 18.24.001. PARTIES.

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared to be unlawful, whether individually or in connection with one or more other persons, or as a principal, agent or accessory, shall be guilty of such offense; and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions of this chapter is likewise guilty of such offense. It shall be unlawful for any person to knowingly and willfully provide false information to a police officer.

SEC. 18.24.002. PENALTIES.

A. Any person violating any of the provisions of this chapter or neglecting or refusing to comply therewith shall upon conviction therefore be punished, where no other penalty is specially provided in this chapter, by imprisonment in the municipal jail or where designated by law, for a period of not less than one (1) day nor more than six (6) months or by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred (\$500.00) or by both such fine and imprisonment.

B. Any person violating a traffic regulation in a designated temporary construction zone or a designated temporary accident reduction zone shall upon conviction thereof be punished by a fine double that specified by the Presiding Judge of the Municipal Court for the Traffic Violations Bureau, but not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment of not less than five (5) days nor more than six (6) months or both such fine and imprisonment.

SEC. 18.24.003. DRIVER IMPROVEMENT SCHOOL AS (ALTERNATE) ADDITIONAL SENTENCE.

A. Whenever a person charged with a violation of any provisions of this Traffic Code is found guilty of said violation, whether sentence is immediately imposed or imposition of sentence is suspended the Municipal Judges, and each of them, are hereby empowered to cause said person to attend a Drivers Improvement School in addition to, or in lieu of, other punishment prescribed by this Traffic Code.

B. If any person so designated to attend such Drivers Improvement School should fail to attend the school as designated within the period assigned the Municipal Judge who made the assignment, of any successor, may cause said person to appear before the court to show cause why he or she should not be held in contempt of court for the failure to obey the Court's order.

SEC. 18.24.004. SCHEDULE OF SATISFACTION FINES.

The following shall be a schedule of and for such fines for parking violations which may be paid by persons charged therewith, the same may be so collected as in this schedule provided.

FINE SCHEDULE	
PARKING MISCELLANEOUS TICKET FORM	
Parking	\$10.00, Plus Court Cost

The fines for all moving violations and non-moving violations not identified above shall be established by the Presiding Judge of the Municipal Court, and a schedule thereof shall be posted in the public view in the office of the Clerk of the Municipal Court and in the Traffic Violations Bureau.

SEC. 18.24.005. FORMS AND RECORDS OF TRAFFIC TICKETS AND ARRESTS.

A. The Clerk of the Municipal Court shall provide books to include traffic ticket forms for notifying alleged violators to appear and answer to charges of violating provisions of this chapter in the Municipal Court of this City. Said books shall include serially numbered sets of tickets in quadruplicate in the form prescribed and approved jointly by the Municipal Judge(s) and Chief of Police.

B. The Clerk of the Municipal Court of the City shall issue such books to the Chief of Police or any duly authorized agent, and shall maintain a record of every book so issued, and shall require a written receipt for every such book.

C. The Chief of Police shall be responsible for the issuance of such books to individual members of the Police Department, and shall require a written receipt for every book so issued, and shall maintain a record of every such book.

D. The Clerk of the Municipal Court shall maintain a traffic ticket control register which shall contain such information pertaining to each traffic ticket issued by the Police Department, as is required by the Municipal Judge(s) and the City.

#### SEC. 18.24.006. PROCEDURE OF POLICE OFFICERS VIOLATIONS OTHER THAN PARKING.

A. Any officer who arrests any resident of Jackson County, Missouri, or nonresident who is employed in the County, for violation of any provisions of this chapter, except parking violations, may take the name, address, driver's license number, registration number of the vehicle involved, and such other pertinent information as may be necessary or required, and may issue to said person in writing on a form provided by the Clerk of the Municipal Court a traffic summons containing a notice to answer to the charge against said person at a place and at a time to be specified in said summons. An officer, upon serving the alleged violator a written notice to answer as specified in the summons, may release such person from custody with the following exceptions:

1. When directed under State law to take a person immediately before a judge.
2. When the violation involves a death.
3. When the violation involves a person who is a habitual user of drugs or who is under the influence of intoxicating liquor or drugs, or one who permits another person who is a habitual user of drugs or under the influence of intoxicating liquor or drugs to operate a motor vehicle owned by the defendant, or in custody or control of the defendant.
4. When the violation involves leaving the scene of an accident.
5. When the violation involves driving with a suspended driver's license, no driver's license or a driver's license which has been expired for more than sixty (60) days.
6. When it appears doubtful the violator will appear pursuant to a written summons.

B. An officer who arrests any nonresident of Jackson County, Missouri, who is not employed in this County, for violation of this chapter, except parking violations, may take information and issue a summons as provided in Paragraph A. The officer may accept a valid driver's license in lieu of cash bail and release such person from custody with the following exceptions:

1. When directed under State law to take a person immediately before a judge.
2. When the violation involves a death.

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3. When the violation involves a person who is a habitual user of drugs or who is under the influence of intoxicating liquor or drugs, or one who permits another person who is a habitual user of drugs or under the influence of intoxicating liquor or drugs to operate a motor vehicle owned by the defendant, or in custody or control of the defendant.
4. When the violation involves leaving the scene of an accident.
5. When the violation involves driving with a suspended driver's license, no driver's license or a driver's license which has been expired for more than sixty (60) days.
6. When it appears doubtful the violator will appear pursuant to a written summons.
7. When the violator is a resident of a state that is not a member of the Non-resident Violator Compact.

C. All persons arrested for violations of this chapter and not released from custody pursuant to Paragraphs "A" or "B" shall be taken into custody, booked at the appropriate station and permitted to post cash bail as provided by law.

#### SEC. 18.24.007. DISPOSITION AND RECORDS OF CITATIONS - WARRANTS AND INFORMATION.

A. Every police officer, upon issuing a citation to an alleged violator of any ordinance of this City, shall deposit the original and first copies of the citation with that officer's immediate superior officer, who shall cause said copies of the citation to be forwarded to the Traffic Safety Bureau of the Police Department. The Traffic Safety Bureau shall cause the original and first copy of the citation to be forwarded to the office of the Clerk of the Municipal Court. The Clerk of the Municipal Court shall then prepare the Municipal Court dockets from those citations not satisfied in the Violation Bureau and those citations on which a court date has been set by the issuing officer.

B. Upon the receipt of an original ticket in the Municipal Court of this City, said ticket may be disposed of only by trial in said court or by other official action by a Judge of said Court, including forfeiture of bail, or by payment of a fine to the Traffic Violations Bureau of said Court.

C. The Clerk of the Court shall require the return of each traffic ticket, and all copies thereof which have been spoiled or upon which any entry has been made and have not been issued to an alleged violator. Such latter cases shall require a concise statement by the officer, approved by that officer's immediate superior, as to the reason the ticket was spoiled or not issued.

D. Any traffic ticket or traffic ticket book shall be immediately returned to the Clerk of the Municipal Court, upon request.

E. The Clerk of the Municipal Court shall also maintain or cause to be maintained in connection with every traffic ticket issued by the Police Department a record of the disposition of the charge by the Municipal Court or its Traffic Violation Bureau.

F. The Chief of Police shall maintain or cause to be maintained a record of all warrants issued by the Municipal Court and which are delivered to the Police Department for service, and of the final disposition of all warrants.

G. It shall be unlawful and official misconduct for any member of the Police Department or other officer or public employee to dispose of, alter, or deface a traffic ticket or any copy thereof, or the record of the issuance or disposition of any traffic ticket, information, or warrant in a manner other than authorized.

#### SEC. 18.24.008. ILLEGAL CANCELLATION AND REPORTS.

It shall be unlawful for any person to cancel or solicit the cancellation of any traffic ticket in any manner other than provided by this chapter.

#### SEC. 18.24.009. AUDIT OF RECORD AND REPORTS.

A. Every record of traffic ticket, information thereon, and warrant issued therefore required in this Article shall be audited by the Director of Finance, who shall submit a report of such audit together with a summary thereof to the Mayor and City Council.

B. For the purpose of this Article, the Director of Finance or any duly authorized representatives shall have access at all times to all necessary records, files, and papers of the Municipal Court, its Traffic Violations Bureau and the Police Department.

#### SEC. 18.24.010. WHEN COPY OF TICKET SHALL BE DEEMED A LAWFUL INFORMATION.

In the event the forms provided under this Article include information and are executed in the manner provided by law in respect to an information charging commission of the offense alleged in said ticket to have been committed, then such information, when filed with the Municipal Court, shall be deemed to be a lawful information for the purpose of prosecution under this chapter.

#### SEC. 18.24.011. FAILURE TO OBEY TICKETS.

No person shall violate their written promise to appear given to an officer upon the issuance to a traffic ticket, regardless of the disposition of the charge for which such ticket was originally issued.

#### SEC. 18.24.012. TICKET ON ILLEGALLY PARKED VEHICLE.

Whenever any motor vehicle driver is found parked or stopped in violation of any of the restrictions imposed by this chapter, the officer finding such vehicle shall take its registration number and such other information as is required and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic summons, on a form provided by the Clerk of the Municipal Court, for the driver to answer to the charge within five (5) days from the date of violation during the hours and at a place specified in this summons.

The five (5) day privilege for payment provided in this section shall not avail to any person who parks or stops in a prohibited zone which results in the motor vehicle being impounded by the Police Department.

Such person, in order to reclaim such vehicle, must immediately pay the prescribed fine for the offense charged or post cash bail as provided by court order.

Any person paying a satisfaction fine after twenty (20) days from the date of violation shall be required to pay costs of Ten Dollars (\$10.00) in addition to the amount of the original satisfaction fine, and any other fines, penalties, or costs; provided, however, if the violator within such twenty (20) days shall

request, in writing, an extension of time not to exceed fourteen (14) days for the payment of such fine, penalties, and costs, or for the posting of a bond in Municipal Court such extension shall be granted by the Clerk for the period of time so requested. If the violator fails to pay within the time granted, a warrant for arrest shall be issued.

**SEC. 18.24.013. REGISTERED OWNER PRIMA FACIE RESPONSIBLE FOR VIOLATION.**

If any vehicle is found upon a street in violation of any provision of this chapter, the owner or person in whose name such vehicle is registered in the records of any city, county, or state shall be held prima facie responsible for such violation, if the driver thereof is not present.

**SEC. 18.24.014. FAILURE TO COMPLY WITH TRAFFIC SUMMONS - WHEN WARRANT TO BE ISSUED.**

In the event any person fails to comply with a traffic summons given to such person or attached to a vehicle, or fails to make appearance pursuant to a summons directing an appearance in the Municipal Court or its Traffic Violations Bureau, or if any person fails or refuses to deposit bail as required and within the time permitted, the Clerk of the Municipal Court shall secure and issue a warrant for that person's arrest, and the case thereafter shall be prosecuted and tried before the Municipal Court as for other violation of ordinances.

**SEC. 18.24.015. RECORD OF TRAFFIC CASES - REPORT OF CONVICTIONS TO DIRECTOR OF REVENUE OF MISSOURI.**

A. Every Municipal Judge shall keep or cause to be kept a record of every traffic information, traffic ticket, or other legal form of traffic charge deposited with or presented to said Court or its Traffic Violations Bureau, and shall keep a record of every official action by said Court or its Traffic Violations Bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture resulting from every said traffic information or ticket deposited with or presented to said Court or its Traffic Violations Bureau.

B. Within ten (10) days after the conviction or forfeiture of bail not vacated of a person upon a charge of violating any provisions of this chapter for which a report may then be required by the Director of Revenue of Missouri, every said Municipal Judge or Clerk of the Municipal Court shall prepare or cause to be prepared an abstract of the record of said court covering the case and immediately forward said abstract to said Director. Said abstract shall be certified by the person required to prepare the same to be true and correct.

**SEC. 18.24.016. DISPOSITION OF TRAFFIC FINES AND FORFEITURES.**

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter shall be paid into the City treasury and deposited in the general revenue fund of the City.

**SEC. 18.24.017. OFFICIAL MISCONDUCT.**

The willful failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any fine or forfeiture, either before or after deposit in the general fund of the City, to comply with the provisions of this chapter, shall constitute misconduct in office and shall be grounds for removal therefrom.

**SEC. 18.24.018 - 18.24.999 RESERVED.**







## ARTICLE 25. ABANDONED PROPERTY AND TOW SERVICE

## SEC. 18.25.001. ABANDONED PROPERTY.

A. For purposes of this Article, "abandoned property" shall mean any unattended motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel removed or subject to removal under the provisions of this Article.

B. It shall be unlawful for any person to leave or abandon any property upon the public street or highways, or upon any property owned, operated or leased by the Federal, State or local government or upon the private property of another without consent.

## SEC. 18.25.002. AUTHORITY TO IMPOUND ABANDONED PROPERTY.

Members of the Police Department are hereby authorized to remove abandoned property to a place of safety or such lot as may be designated by the Chief of Police, at the cost of the owner, under the following circumstances:

1. Any abandoned property on the right-of-way of:
  - a. Any Interstate or State highway, left unattended for ten (10) hours,
  - b. Any street or alley, left unattended for forty-eight (48) hours.
2. Any unattended abandoned property illegally left standing on any highway, street, alley or bridge if the abandoned property is left in such a position or under such circumstances to obstruct the normal movement of traffic or constitute a safety hazard where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal.
3. Any abandoned property left unattended on private property for more than forty-eight hours in violation of signs posted advising of the parking limitation or left unattended on private property in such position or under such circumstances to constitute a safety hazard or unreasonably interfere with the use of the real property by the person in possession.
4. Any abandoned property which is reported as stolen or taken without the consent of the owner or for which there is probable cause to believe is evidence of a crime.
5. Any property in control of a person who is arrested for an offense for which the officer is required to take the person into custody and where such person is unable or unwilling to arrange for the property's timely removal.
6. Any abandoned property for which there is a lawful demand for towing and/or impoundment from another law enforcement or governmental agency.
7. Any abandoned property that is directly interfering with the maintenance, care or emergency use of the streets or highways of the City.
8. Any motor vehicle determined to be on real property in violations of City Code Section 4.01.011D, after notice is given as required by that section.

**SEC. 18.25.003. REMOVAL OF DEBRIS AT ACCIDENT SCENES.**

Any person authorized to remove a vehicle involved in an accident, disabled or abandoned on the streets or highways of the City shall remove any glass or other material or substances resulting from the incident immediately upon removal of the vehicle.

**SEC. 18.25.004. UNLAWFULLY SOLICITING TOW SERVICE.**

A. It shall be unlawful for any person to drive a wrecker or tow truck to, or stop at, any vehicle or person involved in an accident on the streets or highways of the City unless the person driving the wrecker or tow truck has been called to the scene by a law enforcement agency or the owner, operator or passenger (or person asked by them to call) of a vehicle involved in the accident.

B. It shall be unlawful for any person to solicit, directly or indirectly, the business of towing, removing, repairing, trading or purchasing any vehicle involved in an accident or disabled on the streets or highways of the City. The presence of a person involved in the tow business as an owner, operator, employee or agent, at the scene of an accident or disabled vehicle within one (1) hour after the accident or the vehicle becoming disabled, or was not a called to the scene by a law enforcement agency, or the owner, operator, passenger (or person asked by them to call) is prima facie evidence of soliciting in violation of this section.

**SEC. 18.25.005. TOW ROTATION CALL LIST SYSTEM.**

A. The Director of Finance is authorized and directed to establish and implement a tow rotation call list to equitably distribute the business of towing authorized under Section 18.25.002 and of vehicles involved in an accident or disabled when the persons in charge of the vehicle cannot or will not remove the vehicle themselves or select a wrecker or tow service of their own preference.

B. The Director of Finance may impose reasonable regulations upon wrecker or tow service businesses desiring to be on the tow rotation call list, including requiring applications, inspecting equipment, storage facilities, office areas, personnel, and financial responsibility and evaluating service and performance.

C. The Director of Finance shall establish maximum charges that may be imposed for towing and storage services by those businesses on the tow rotation call list when response is made under the tow rotation system. In no event shall the City be responsible for any unpaid towing or storage charges when response is made under the tow rotation system.

D. The Director of Finance may, after reasonable notice and hearing, remove a tow service provider from the tow rotation call list.

E. The Chief of Police is directed to use the tow rotation call list to equitably distribute the business of towing authorized under Section 18.25.002 and of vehicles involved in an accident or disabled when the persons in charge or the vehicle cannot or will not remove the vehicle themselves or select a wrecker or tow service of their own preference and develop a system to document the calls for wrecker or tow service and record performance of the service providers.

**SEC. 18.25.006. PENALTIES.**

Any person violating the provisions of this Article shall be subject to a fine in an amount not to exceed Five Hundred Dollars (\$500.00) or jail time not to exceed six (6) months or both.

**SEC. 18.25.007 - 18.25.999 RESERVED.**

ARTICLE 26. SCHOOL BUSES.

SEC. 18.26.001. SCHOOL BUS OPERATOR'S PERMIT REQUIRED.

A. It shall be unlawful for any person to operate a school bus upon any street in this City unless such person has obtained a valid school bus operator's permit from the State of Missouri.

B. It shall be unlawful for the owner or lessee of any school bus to cause or allow same to be operated by any driver or operator until such driver or operator has procured a valid school bus operator's permit from the State of Missouri.

SEC. 18.26.002. SCHOOL BUS INSPECTION CERTIFICATE REQUIRED.

A. It shall be unlawful for any person to operate a school bus upon any street in this City unless such school bus has a valid certificate of inspection, or sticker, seal or other device evidencing inspection, issued by the State of Missouri.

B. It shall be unlawful for the owner or lessee of any school bus to cause or allow same to be operated upon any street in this City unless such school bus has a valid certificate of inspection, or sticker, seal or other device evidencing inspection, issued by the State of Missouri.

SEC. 18.26.003. FINANCIAL RESPONSIBILITY REQUIRED.

A. No owner of a school bus registered in this State shall operate same upon the streets or alleys of this City unless the owner maintains the financial responsibility as required in this Code.

B. No person shall operate a school bus owned by another with the knowledge that the owner has not maintained financial responsibility.

SEC. 18.26.004 - 18.26.999 RESERVED.



ARTICLE 27. DRIVER'S LICENSES - STATE

SEC. 18.27.001. OPERATION OF A VEHICLE WITHOUT A PROPER LICENSE PROHIBITED.

It shall be unlawful for any person, except those expressly exempted by Section 18.27.003A, to:

1. Operate any vehicle upon any street or highway in this City unless he or she has a valid license or permit.
2. Operate any motorcycle upon any street or highway in this City unless he or she has a valid license or permit qualifying that person to operate a motorcycle or motorized bicycle.
3. Operate any vehicle when his or her license to do so has been suspended or revoked.
4. Operate any vehicle in violation of restrictions imposed on that license.
5. Fail to produce his or her license upon the demand of any person or persons authorized to make such demand.

SEC. 18.27.002. OPERATION OF A COMMERCIAL MOTOR VEHICLE WITHOUT A PROPER COMMERCIAL DRIVERS LICENSE PROHIBITED.

It shall be unlawful for any person, except those expressly exempted by Sec. 18.27.003B to:

1. Operate a commercial motor vehicle upon any street or highway in this City unless he or she has a valid commercial driver's license or a commercial instruction permit.
2. Operate a commercial motor vehicle with an improper class of commercial driver's license.
3. Operate a commercial motor vehicle in violation of his or her commercial driver's license endorsements.
4. Operate a commercial motor vehicle in violation of his or her commercial driver's license restrictions.
5. Operate a commercial motor vehicle while disqualified.
6. Operate a commercial motor vehicle while subject to an out-of-service order.

SEC. 18.27.003. EXEMPTIONS FROM LICENSE REQUIREMENTS.

A. The following persons are exempt from the requirements of Sec. 18.27.001:

1. Any person while operating any farm tractor or implement of husbandry temporarily operated or moved on a street or highway.
2. A non-resident who is at least sixteen (16) years of age and who has in his or her immediate possession a valid license issued to him or her in his or her home state or country.

3. A non-resident who is at least eighteen (18) years of age and who has in his or her immediate possession a valid license issued to him or her in his or her home state or country which allows such person to operate a commercial motor vehicle.

4. Convicted offenders of the Department of Corrections who have not been convicted of a motor vehicle felony as follows - driving while intoxicated, failing to stop after an accident and disclosing his or her identify, or driving a motor vehicle without the owner's consent - may operate State-owned trucks for the benefit of the correctional facilities, provided that such offender shall be accompanied by a correctional officer or other staff person in such truck.

B. The following persons are exempt from the requirements of Sec. 18.27.002:

1. Any farmer operating a commercial motor vehicle exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty (150) miles of the farm, except for commercial motor vehicles requiring placarding for hazardous material and common or contract motor carriers.

2. Any active duty military personnel, members of the reserves and national guard on active duty, including personnel on full-time national guard duty, personnel on part-time training and national guard military technicians, while driving military vehicles for military purposes.

3. Any person who drives emergency or fire equipment necessary to the preservation of life or property or the execution of emergency governmental functions under emergency conditions.

4. Any person driving or pulling any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, i.e. recreational motor vehicles.

#### SEC. 18.27.004. PROHIBITED USES OF LICENSE.

It shall be unlawful for any person to display or to permit to be displayed, or to have in his or her possession, any license knowing the same to be fictitious or to have been canceled, suspended, revoked, disqualified or altered; to lend to or knowingly permit the use of by another any license issued to the person so lending or permitting the use thereof; to display or to represent as one's own any license not issued to the person so displaying the same; to authorize or consent to any vehicle owned by him or her or under his or her control to be driven by any person, when he or she has knowledge that such person has no legal right to do so; to employ a person to operate a commercial motor vehicle with knowledge that such person does not have a valid commercial driver's license to operate that commercial motor vehicle or whose license has been revoked, suspended, canceled or disqualified.

SEC. 18.27.005 - 18.27.999 RESERVED.

ARTICLE 28. VEHICLE LICENSES - CITY

SEC. 18.28.001. CITY MOTOR VEHICLE LICENSE REQUIRED.

A. Any person residing within the City, including any business having an office or place of business within the City, who is the owner of a motor vehicle shall pay a City motor vehicle license fee for each motor vehicle owned, rented or leased by said person, as of January 1 of each year, unless said motor vehicle is used exclusively outside the City or unless the vehicle has an historic license plate issued by the State of Missouri pursuant to Section 301.131 R.S.Mo.

B. City motor vehicle licenses shall be per annum and valid from the first day of January to the 31st day of December for each year.

C. The per annum license fee for all motorcycles and motorscooters shall be \$4.50.

D. The per annum license fee for all motor vehicles, except commercial vehicles, shall be \$5.00.

E. The per annum license fee for commercial and recreational vehicles shall be \$6.00.

F. Per annum license fees, and delinquency penalties assessable pursuant to Section 18.28.002 for all classes of motor vehicles, except commercial vehicles, shall be waived for persons over age 65 and any person who has served in the armed forces of the United States and who has been honorably discharged is receiving compensation from the Veterans Administration for a service connected disability. Waiver of license fee shall be limited to one vehicle per qualifying person upon presentment of satisfactory proof of individual ownership or joint ownership with said person's spouse. Persons requesting waiver of a license fee by virtue of having obtained the age of 65 shall have reached the age of 65 prior to January 1st of the year for which waiver is requested. No delinquency penalty, or any part thereof, will be waived for penalties accrued prior to the time a senior citizen has attained the age of 65, or prior to application for waiver and proof of disability from a disabled veteran.

SEC. 18.28.002. PENALTY.

A. Any owner failing to pay a City motor vehicle license fee for a motor vehicle on or before January 1 of each year shall pay, in addition to the license fee set forth in Section 18.28.001 of the Code of the City of Independence, Missouri, a delinquency penalty as prescribed in Paragraph "B" of this section.

B. Whenever any City motor vehicle license fee shall have remained unpaid after the same has become delinquent as provided in Paragraph "A" of this section, a penalty shall be assessed and collected by the Director of Finance in accordance with the following schedule:

<u>Delinquency:</u>	<u>Penalty:</u>
First Month, or any part thereof	\$ 2.50
Second Month, or any part thereof	5.00
Third Month or any part thereof	7.50
More than Three Months	10.00



C. When the City Council elects to have the City motor vehicle license billed and collected by the County in which a motor vehicle is owned, rented, or leased the penalty provisions for late payment as authorized by that County will apply.

D. Nothing contained in this section shall be deemed a waiver of the right of any court to impose a fine or penalty for the violation of the Ordinances of the City respecting the time when any City motor vehicle license is due as provided in this chapter.

E. The Director of Finance is hereby authorized and directed to assess and collect the penalty as herein provided and to do all things necessary to implement the provisions of this Article after the effective date hereof.

#### SEC. 18.28.003. LIVERY CARS AND TAXICABS.

Whenever the ordinances of the City shall provide for a special form of license tag or receipt for motor vehicles used as auto livery or taxicabs, such license tag or receipt may be in lieu of the City motor vehicle license provided for herein; provided that the regular City motor vehicle license for such auto livery or taxicabs must be paid, in addition to any occupation license fee therefore.

#### SEC. 18.28.004. WRONGFULLY OBTAINING LICENSE, ETC.

It shall be unlawful for any person to willfully and fraudulently, by means of any false representation, or by the use of any false or fictitious name or address, or by the use of any other deceptive means, obtain or induce, procure, or aid in procuring the issuance of any City motor vehicle license, or to knowingly and willfully use any such license or permit so obtained, without the payment of any license fee required by this Article to be paid as a condition to the issuance of such license.

#### SEC. 18.28.005 - 18.28.999 RESERVED.

ARTICLE 29. VEHICLE LICENSES - STATE

SEC. 18.29.001. VEHICLE AND TRAILER REGISTRATION.

No person shall operate or park any motor vehicle or trailer upon any street or highway of this City, unless such motor vehicle or trailer has properly displayed a valid license plat or plates or temporary permit issued to the lawful owner of the vehicle by the Department of Revenue of the State of Missouri, except that any person who is a non-resident of the State of Missouri may operate or park any motor vehicle or trailer upon any street or highway of this City, provided the motor vehicle or trailer has been duly registered for the current year in the State, country, or other place of which the owner is a resident, provided that at all times such motor vehicle or trailer is being operated or parked upon the streets or highways of this City, the valid license plate or plates or temporary permit is properly displayed on such vehicle or trailer.

SEC. 18.29.002. METHOD OF DISPLAYING LICENSE PLATES.

No motor vehicle or trailer shall be operated on any street or highway of this City, unless it shall have properly displayed thereon the license plate or set of license plates issued and authorized by law. Each plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be fastened to all motor vehicles, except trucks and tractors licensed in excess of twelve thousand pounds (12,000#) on the front and the rear of such vehicles not less than eight inches (8") nor more than forty-eight inches (48") above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles and motorbikes shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on trucks and tractors licensed in excess of twelve thousand pounds (12,000#) shall be displayed on the front of such vehicles not less than eight inches (8") nor more than forty-eight inches (48") above the ground, with the letters and numbers thereon right side up.

SEC. 18.29.003. OTHER PLATES PROHIBITED.

No person shall operate or park a motor vehicle or trailer on any street or highway on which there is displayed on the front or rear thereof a plate, tag, sticker, sign, or placard bearing the words "license lost," "license applied for," or words of similar import, as a substitute for a valid license plate or temporary permit.

SEC. 18.29.004. FAILING TO USE LICENSE PLATES.

No person shall show, exhibit, display, or have in possession for the purpose of sale any motor vehicle bearing or displaying thereon any number or license plates, except those of the dealer or owner so displaying said motor vehicle; provided, however, that where the motor vehicle is placed on consignment with a dealer by the owner thereof, there may be displayed the number of license plate issued to the owner thereof.

SEC. 18.29.005. CERTIFICATE OF OWNERSHIP.

It shall be unlawful for any person to operate in this City a motor vehicle or trailer registered as provided by law, unless a certificate of ownership shall have been issued.

SEC. 18.29.006. SALE AND TRANSFER OF VEHICLES.

It shall be unlawful for any person to buy or sell in this City any motor vehicle or trailer registered under the laws of this state, unless at the time of delivery thereof there shall pass between the parties a

certificate of ownership with assignment thereof as provided, by State law and the sale of any motor vehicle or trailer registered under the laws of this State, without the assignment of such certificate of ownership shall be fraudulent and void.

**SEC. 18.29.007. PLATES REMOVED ON TRANSFER OR SALE OF VEHICLES - USE BY PURCHASER - REGISTRATION - USE OF DEALER'S PLATES - FALSE INFORMATION.**

A. Upon the transfer of ownership of any motor vehicle or trailer, the certificates of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty (30) days.

B. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by State law, number plates issued to the dealer.

**SEC. 18.29.008. COMMERCIAL VEHICLES.**

In addition to having the proper registration displayed as required by law, no person shall operate a commercial motor vehicle in this City without displaying in a conspicuous place on both sides thereof in letters at least three inches in height and in a contrasting color to the background:

1. The name of the owner.
2. The address from which such motor vehicle is operated.
3. The gross weight for which said vehicle is licensed.
4. Local commercial vehicles, in addition, shall display in a conspicuous place the word "local."

**SEC. 18.29.009 - 18.29.999. RESERVED.**

ARTICLE 30. LITTER THROWN, BLOWN, OR DROPPED FROM VEHICLES

SEC. 18.30.001. LITTER THROWN BY PERSONS IN VEHICLES.

No person while a driver or passenger in a vehicle shall throw, drop or deposit litter upon any street or other public place within the City.

SEC. 18.30.002. TRUCK LOADS CAUSING LITTER.

No person shall drive or move any truck or other vehicle within the City, unless such vehicle is so constructed or loaded as to prevent any load, contents, or litter from being blown or deposited upon any street, alley, or other public place.

SEC. 18.30.003 - 18.30.999. RESERVED.