

CHAPTER 71: TRAFFIC REGULATIONS

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§ 71.01 CARELESS DRIVING.

No person shall operate or halt any vehicle upon a street or highway within the City of Byron, Minnesota, carelessly or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or be likely to endanger any person or property.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14) Penalty, see § 70.99

§ 71.02 SPEED REGULATIONS.

(A) No person driving a vehicle within the city shall drive the same at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so restricted as may be necessary in order to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. No person shall drive a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(B) No vehicle shall be driven thereon at a speed in excess of 30 miles per hour on any street on which a different speed has not been established by the Commissioner of Transportation under M.S. § 169.14, as amended from time to time. On any street where a different speed zone has been established, and signs have been posted calling attention to such zone, no vehicle shall be driven in the city at a speed greater than that indicated on such signs.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14) Penalty, see § 70.99

§ 71.03 OPERATING AND TURNING VEHICLES.

Upon all highways within the city of sufficient width, except upon one-way streets, or except upon those with three traffic lanes established and plainly marked thereon, the driver of a vehicle shall drive the same upon the right half of the roadway and shall drive a slow moving vehicle as closely as possible to the right-hand edge or the curb of such highway, unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle. No person shall stop or turn a vehicle or change from one traffic lane to another unless the same can be done with safety and without interfering with the normal flow of pedestrian and vehicle traffic, and if any other vehicle may be affected, the intention to make such stop, change of position or turn shall be indicated by the driver by extending his or her left arm from and beyond the left side of the vehicle in the manner specified by law or by using an approved and efficient device to give such warning and by giving an audible warning by sounding the horn if necessary to warn pedestrians.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14)

§ 71.04 USE OF EQUIPMENT.

(A) For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

ABNORMAL OR EXCESSIVE NOISE.

(a) Distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value;

(b) Noise in excess of that permitted by M.S. § 169.69, as amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order; or

(c) Noise in excess of that permitted by M.S. § 169.693 and Minn. Rules part 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

ENGINE RETARDING BRAKE. A dynamic brake, jake brake, jacobs brake, c-brake, paccar brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

(B) It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

(C) It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective system, except in an emergency.

(D) M.S. §§ 169.69 and 169.693 (motor vehicle noise limits) and Minn. Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

(E) Sign stating "Vehicle Noise Laws Enforced" may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this section, except that no sign stating "Vehicle Noise Laws Enforced" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this section are in full force and effect even if no signs are installed.

(Am. Ord. passed 6-10-14)

§ 71.05 EMERGENCY VEHICLES.

The speed limitation of this chapter shall not apply to vehicles when operated with due regard for safety, under the direction of peace officers in the chase or apprehension of violators of the law or persons charged with or suspected of any such violation, to Fire Departments or fire patrol vehicles when traveling in response to a fire alarm or to public ambulances in emergency use or service. When a fire alarm shall be sounded or when the warning device of any emergency vehicle shall be sounded, all vehicles upon the streets of the city shall draw to the right side of the street and permit such vehicle to pass. No vehicle of any kind shall precede fire apparatus to a fire using the same street that it is using. No vehicle shall follow fire apparatus closer than 500 feet or be parked within the block where fire apparatus has stopped in answer to a fire alarm. 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 in command.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14)

§ 71.06 DRIVING UNDER INFLUENCE OF LIQUOR OR NARCOTICS.

No person who is an habitual user of narcotic drugs or who is under the influence of narcotics or liquors shall drive or operate a vehicle on any street within the city, and no person shall consume liquor while an occupant of a vehicle upon any street in the city.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14) Penalty, see § 70.99

§ 71.07 PEDESTRIANS.

(A) *Obey traffic-control signals.* Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions in this section and all other sections.

(B) *Rights in absence of signals.*

(1) Where traffic-control signals are not in place or in operation, the driver of a vehicle shall stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or within any crosswalk at an intersection, but no pedestrian shall suddenly leave the 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. This provision shall not apply under the conditions as otherwise provided in this subdivision.

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

(3) It is unlawful for any person to drive a motor vehicle through a column of school children crossing a street or highway or past a member of a school safety patrol or adult crossing guard, while the member of the school safety patrol or adult crossing guard is directing the movement of children across a street or highway and while the school safety patrol member or adult crossing guard is holding an official signal in the stop position.

(4) A person who violates this division is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$700 or both. A person who violates this division a second or subsequent time within one year of a previous conviction under this division is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000 or both.

(C) *Crossing between intersections.*

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) 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.

(3) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk. Notwithstanding the other provisions of this section every driver of a vehicle shall:

(a) Exercise due care to avoid colliding with any bicycle or pedestrian upon any roadway;
and

(b) Give an audible signal when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

(D) *Use right half of crosswalks.* Pedestrians shall move when practicable upon the right half of crosswalks.

(E) *Walk on left side of roadway.* Pedestrians when walking or moving in a wheelchair along a roadway shall, when practicable, walk or move on the left side of the roadway or its shoulder giving way to oncoming traffic. Where sidewalks are provided and are accessible and usable it shall be unlawful for any pedestrian to walk or move in a wheelchair along and upon an adjacent roadway.

(F) *Hitchhiking; solicitation of business.*

(1) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

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

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14) Penalty, see § 70.99

§ 71.08 GLASS OR OTHER INJURIOUS SUBSTANCE ON HIGHWAYS.

No person shall throw or deposit glass, metal, garbage, tin cans or any other similar substance upon any highway, and anyone who drops or throws or permits to be dropped or thrown any such destructive or injurious substance shall immediately cause the same to be removed. Any wrecked or damaged vehicle on a street shall be removed therefrom without unreasonable delay and pending removal shall be guarded during the period when lights are required on vehicles with proper lights, equal in intensity to ordinary parking lights or by red flares; and when removed, no glass or injurious substance shall be left upon the street or roadway by the person removing the vehicle.

(Ord. 459, passed 7-24-97; Am. Ord. passed 6-10-14) Penalty, see § 70.99