

CHAPTER 22

TRAFFIC

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Article 1. Oklahoma Highway Traffic Safety Code Adopted

Section 22-1. Oklahoma Highway Traffic Safety Code Adopted.

1. The Oklahoma Highway Traffic Safety Code (Title 47 of the 1981 Oklahoma Statutes, as amended, and every ten (10) years' recodification thereof) is hereby adopted and incorporated in the Code of Ordinances of the City of Elk City, Oklahoma, as if set out at length herein, for the purposes of establishing locally appropriate rules and regulations for the control of traffic within said municipality.

2. The definitions of words used in this Chapter shall be the same as those definitions in Title 47, Oklahoma Statutes, 1981, Sections 1-101 through 1-186 (as amended).

Sections 22-2 through 22-4. (Reserved for future use.)

Article 2. Traffic Regulations

Section 22-5. City Commission May Adopt and Enforce Regulations.

1. The City Commission is hereby empowered to adopt and enforce regulations necessary to make the provisions of this Chapter and any other traffic or related Ordinances of the City of Elk City, Oklahoma, effective, and to adopt and enforce temporary regulations to cover emergencies or special conditions.

2. No person shall willfully fail or refuse to comply with any lawful order or direction of the Chief of Police, any police officer, fireman or any other authorized municipal employee.

Section 22-6. Speed Regulations.

1. No person shall drive a vehicle on any street within the corporate limits of the City of Elk City, Oklahoma, at a speed greater or less than is reasonable or prudent under the conditions then existing (including, among other things, the condition of the vehicle, roadway, weather, visibility, amount of traffic, presence of pedestrians and any obstruction of view).

2. No person shall drive any vehicle upon a street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

3. No person shall drive any vehicle, except an authorized emergency vehicle (as provided in this Chapter), at a speed greater than:

- a. fifteen (~~15~~ **25**) miles an hour on any street adjacent to any school, or in any school zone, between eight o'clock a.m. and four o'clock p.m. on days when school is in session; and
- b. thirty (30) miles per hour on other streets and on streets adjacent to schools at other times than that specified immediately above, unless otherwise posted.

4. The Municipal Court may levy a fine of not more than ten dollars (\$10.00), together with court costs of fifteen dollars (\$15.00) for exceeding the posted speed limit by no more than ten (10) miles per hour upon any portion of the National System or Interstate and Defense Highway, federal-aid primary highways, and the state highway system located on the outskirts of the City determined by reference to (a) low land use density; (b) absence of any school or residential subdivision requiring direct ingress or egress from the highway; (c) low traffic volume on the highway; and, a scarcity of retail or commercial business abutting the highway.

Section 22-7. Citation Tags; Failure to Comply.

1. Police officers are hereby authorized to give notice to persons violating provisions of this Chapter, by delivering citation tags to violators or, in cases where vehicles without drivers are parked or stopped in violation of this Chapter, by affixing such tags to the vehicles by means of which the violation occurred. Such citation tags shall indicate briefly the charge, shall bear the registration number of the vehicle and shall direct the violator to present the tag at the police station or other designated place within five (5) days, or such other reasonable time as may be specified thereon. Nothing in this Section shall abridge the power to arrest any violator, to take him into custody or to file a complaint against him at any time.

2. The City Commission may require that police officers use serially-numbered citation tags furnished by the City Clerk, and said City Commission may also regulate the use and handling of citation tags.

3. If a violator of any provision of this Chapter who has been given a citation tag as provided above, fails to appear, in accordance with the instructions of such tag, the Chief of Police or his authorized agent shall send a letter or other written notice to the owner of the vehicle involved, informing him of the violation, warning him to appear and directing that, in the event such letter or notice is disregarded for a period of five (5) days, a complaint will be filed and a warrant of arrest issued; provided that nothing in this Section shall abridge the power to file a complaint against him prior to the expiration of such time.

4. In the event any person fails to comply with a citation tag given to such person, or attached to a vehicle, the Chief of Police shall have a complaint entered against such person before the Municipal Judge, and said Judge shall issue a warrant for his arrest.

Section 22-8. Authorized Emergency Vehicles.

1. The driver of any authorized emergency vehicle, when responding to an emergency call when in the pursuit of an actual or suspected violator of a law or Ordinance, or when responding to, but not upon returning from, a fire alarm, may exercise the following privileges:

- a. Park or stand (irrespective of the provisions of this Chapter);
- b. Proceed past a red or stop signal or sign (slowing down as may be necessary for safe operation);
- c. Exceed the maximum speed limits so long as he does not endanger life or property; or
- d. Disregard regulations governing direction of movement or turning in specific directions.

2. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible and/or visual signals, except that an authorized emergency vehicle, operated as a police vehicle, need not be equipped with, or display, a red light visible from the front of the vehicle.

3. Upon the immediate approach of any authorized emergency vehicle making required use of audible and/or visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection, or shall clear the roadway in the safest possible manner, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

4. This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall such provisions protect the driver from the consequences of reckless disregard for the safety of others.

Section 22-9. Duties of Policemen and Firemen.

1. It shall be the duty of the Chief of Police and any police officers to enforce the traffic regulations of the City of Elk City, Oklahoma, and all of the State vehicle laws applicable to traffic in said municipality, to make arrests for traffic violations, to investigate accidents, to cooperate with other municipal officials in the administration of the traffic laws and in developing ways to improve traffic conditions, and to carry out those duties specifically imposed upon said officers by this Chapter and any other traffic or related Ordinances of said municipality.

2. The Chief of Police and his assistants are hereby authorized to direct all traffic by voice, hand or signal, in conformance with traffic laws and Ordinances. In the event of a fire, other emergency or to expedite traffic or safeguard pedestrians, such officers may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and Ordinances.

3. Firemen, when at the scene of a fire, may direct or assist the police in directing traffic.

Section 22-10. Stopped School Bus.

1. No person shall pass any school bus (as defined by State Law) when such bus is stopped for the purpose of discharging or taking on passengers, and is displaying flashing red lights, as required by State Law.

2. All persons shall stop upon approaching a stopped school bus (as described in Subsection 1, above), regardless of the direction of said approach.

Section 22-11. Accident Reports; Leaving an Accident Scene.

1. The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to, or death of, any person, or damage to any vehicle or other property to an apparent extent of more than fifty dollars (\$50.00), shall, as soon as practicable, report such accident to the Chief of Police or to the Police Department. Making out a written report of the accident in the Police Department, as soon as practicable after the accident (to be forwarded to the State Department of Public Safety in accordance with the law), shall be deemed compliance with this Section.

2. Leaving the scene of an accident, as defined by current State Law, shall be unlawful within the corporate limits of the City of Elk City, Oklahoma.

Section 22-12. Driving by Unauthorized Persons Prohibited.

1. It shall be unlawful for any person who does not have a valid driver's license, as required by State Law, to operate a motor vehicle within the corporate limits of the City of Elk City, Oklahoma.

2. It shall also be unlawful and an offense for any person to permit an unlicensed driver to operate a motor vehicle within the corporate limits of the City of Elk City, Oklahoma.

3. It shall be unlawful and an offense for any person to authorize, or knowingly permit, any vehicle owned by him or under his control, to be driven upon any of the streets or highways of the City of Elk City, Oklahoma, by any person who is not authorized, under the Laws of the State of Oklahoma, to operate such vehicle.

Section 22-13. Careless Driving.

It shall be unlawful for any person to drive a vehicle within the corporate limits of the City of Elk City, Oklahoma in violation of the conditions outlined in Title 47 of the Oklahoma Statutes, as amended, Section 11-801(a).

Section 22-14. Reckless Driving.

1. It shall be unlawful for any person to drive a vehicle within the corporate limits of the City of Elk City, Oklahoma in violation of the conditions outlined in Title 47 of the Oklahoma Statutes, as amended, Section 11-901(a).

2. Any person, firm or corporation who shall violate any provision of this Section shall be guilty of an offense and, upon conviction thereof, shall be punished by fine not to exceed five hundred dollars (\$500.00) plus costs and may be imprisoned for any amount of time not to exceed sixty (60) days. Each day such violation is committed or continues to exist shall constitute a separate offense and shall be punishable as such.

Section 22-15. Driving While Ability Impaired.

1. It shall be unlawful for any person to drive a vehicle within the corporate limits of the City of Elk City, Oklahoma in violation of the conditions outlined in Title 47 of the Oklahoma Statutes, as amended, Section 761.

2. Any person, firm or corporation who shall violation any provision of this Section shall be guilty of an offense and, upon conviction thereof, shall be punished by fine not to exceed Seven Hundred Fifty Dollars (\$750.00) plus costs and may be imprisoned for any amount of time not to exceed sixty (60) days. Each day such violation is committed or continues to exist shall constitute a separate offense and shall be punishable as such.

Section 22-16. Driving While Under Influence of Intoxicating Liquor or Drugs-Actual Physical Control.

1. It shall be unlawful for any person to drive a vehicle within the corporate limits of the City of Elk City, Oklahoma in violation of the conditions outlined in Title 47 of the Oklahoma Statutes, as amended, Section 11-902(a+b).

2. Any person, firm or corporation who shall violate any provision of this Section shall be guilty of an offense and, upon conviction thereof, shall be punished by fine not to exceed Seven Hundred Fifty Dollars (\$750.00) plus costs and may be imprisoned for any amount of time not to exceed sixty (60) days. Each day such violation is committed or continues to exist shall constitute a separate offense and shall be punishable as such.

Section 22-17. Vehicles Not to be Driven on Sidewalk.

The driver of any vehicle shall not drive upon any sidewalk or sidewalk area, except at a permanent or temporary driveway.

Section 22-18. Following Too Closely.

The driver of any vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of both vehicles and the traffic upon, and the condition of, the roadway.

Section 22-19. Backing.

1. The driver of any vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

2. The driver of any vehicle shall not back the same a greater distance than is necessary to permit it to enter the immediately available proper driving lane; no extended backing shall be permitted.

Sections 22-20 through 22-24. (Reserved for future use.)

Article 3. Impoundment of Vehicles

Section 22-25. Purpose and Effect of Impoundment.

Impoundment of vehicles under authority of the provisions of this Article shall be construed as an enforcement procedure for protection of the public peace, safety, welfare and safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances existing from traffic law violations,

protection of the public rights in the use of streets and thoroughfares in the City of Elk City, Oklahoma, from obstructions placed and left in derogation of those rights, and for safeguarding and protecting recovered stolen vehicles.

Section 22-26. Place of Impoundment.

Every vehicle that is impounded under the provisions of this Article shall be removed to the nearest garage, or other place of safekeeping designated by the City Manager, and shall not be removed to any other place.

Section 22-27. Duration of Impoundment.

1. Unless otherwise provided hereinafter, any vehicle impounded under the provisions of this Code of Ordinances shall be stored and held safely until a written order for its release, signed by the Chief of Police (or his designated representative); has been issued.

2. The written order for release shall be conditioned upon:

- a. Payment of all impoundment costs and accrued storage charges assessed against the vehicle, by the person to whom the release is issued; and
- b. Payment of all fines and costs due the City of Elk City, Oklahoma because of traffic law or other law violations involving the vehicle, or proper security posted for said fine or law violation.

Section 22-28. Redemption and Release of Vehicle.

The person holding the written order for release shall be entitled to obtain possession of the vehicle upon presentation of the order for release at the place of impoundment, together with payment (or tender of payment) of all impoundment costs and accrued storage charges due.

Section 22-29. Authority to Impound Vehicles.

1. The Chief of Police of the City of Elk City, Oklahoma, and members of the Municipal Police Department, are hereby authorized, within the limits set forth in this Chapter, to impound vehicles under the circumstances hereinafter enumerated.

2. No impoundment shall be valid unless made under order of an authorized police officer, and in strict adherence to the procedures established in this Article or by other policies of the City of Elk City, Oklahoma.

Section 22-30. Causes for Impoundment.

1. A disabled vehicle upon a street or highway may be impounded under the following circumstances:

- a. If left unattended and improperly parked on a street or highway;
 - b. If left unattended longer than forty-eight (48) hours on the shoulder of any highway; or
 - c. If the person in charge of the vehicle is physically incapacitated to such extent as to be unable to provide for its custody or removal.
2. An unattended vehicle left upon any bridge, viaduct, causeway or within the structure of a grade separation, may be impounded.
3. Whenever the driver, or person in charge, of any vehicle is placed under arrest, taken into custody and detained by police under circumstances which leave, or will leave, a vehicle unattended within the corporate city limits, of the City of Elk City, the vehicle may be impounded.
4. A vehicle left unattended upon any street, alley or thoroughfare, and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic, shall be impounded.
5. When any derelict vehicle is discovered by the Police Department to have been parked upon any street in the City of Elk City, Oklahoma, for a period of seventy-two (72) hours, or more, the Police Department is authorized to impound the vehicle, and if the owner of the vehicle may be ascertained by reasonable diligence, the owner shall be notified of the action by the Police Department.
6. A trespassing, unattended vehicle found may be impounded when the required complaint has been properly made and filed. The owner or legal occupant who complains shall sign a complaint against the person parking the vehicle on the owner's (or legal occupant's) property; if the identity of the person parking the vehicle is unknown, then the complaint may be filed against the registered owner of the vehicle. The complaint shall be verified and shall allege that the complaining party is the owner or legal occupant of the property upon which the vehicle is parked or standing. Upon filing of the complaint by the property owner or legal occupant, and if there appears to be proper cause to believe a violation has occurred, the Police Department shall cause the vehicle to be impounded and placed in storage.
7. Any unattended vehicle parked at the street curbing of any zone where parking is prohibited, and where official signs are in place giving notice thereof in violation of the prohibition, may be impounded.
8. Any vehicle illegally parked in such a manner that it blocks a fire escape, ladder or exit, or blocks ready access to a fire hydrant, shall be impounded.

9. Any unattended vehicle illegally parked in any street intersection, shall be impounded. A disabled vehicle in an intersection with the person in charge of the vehicle being present, shall be moved out of the intersection and to the nearest available legal parking space at the street curbing.

10. Whenever a stolen vehicle is located by police and the registered owner cannot be found within a reasonable time, not exceeding eight (8) hours, or cannot be determined from the registration papers or other identification in the vehicle (or from records or information available from reports of stolen cars), the vehicle may be removed to the nearest authorized place of impoundment and the registered owner of the vehicle notified of the location of the place of impoundment as soon as possible by the Police Department. If the registered owner is identified, located and notified of the recovery of the stolen vehicle, the owner shall be given the right to make his own arrangements for the removal of the vehicle within a period of twenty-four (24) hours from the time he is actually notified of its recovery; if the owner is unable or unwilling to effect the removal within the time specified, the vehicle may be impounded.

Sections 22-31 through 22-34. (Reserved for future use.)

Article 4. Vehicle and Equipment Prohibitions

Section 22-35. Injurious or Obstructive Vehicles or Objects.

1. No vehicle or object which injures, or is likely to injure, any street within the City of Elk City, Oklahoma, shall be driven or moved on any street within said municipality.

2. No person shall drive any vehicle which is in such condition, so constructed or so loaded as to cause, or be likely to cause, a delay in traffic or constitute a hazard to persons or property, without having obtained a permit from the Office of the City Clerk.

Section 22-36. Size and Weight of Vehicles; Truck Routes.

1. No person shall drive or convey through any street any vehicle, the width, height, length, weight or load of which exceeds that authorized by State Laws, except in accordance with a permit issued by State authority.

2. The City Commission may prescribe routes through the municipality for the use of trucks in general or trucks of particular kinds and/or other vehicles, which are not ordinary private passenger vehicles, passing through the City of Elk City, Oklahoma.

3. The City Commission shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the routes. When such signs are erected and in place, the driver of a truck or other vehicle for which a route has been so prescribed, while passing through the City of Elk City, Oklahoma, shall keep on such route and shall not deviate there from, except in case of emergency.

Section 22-37. Intent and Purpose.

Whereas the imprudent operation of utility vehicles, golf carts and similar vehicles can be dangerous and can constitute a menace to the public health, safety and welfare of the City of Elk City, it is the intent and purpose of this section and pertinent sections following that utility vehicles, golf carts and similar vehicles be reasonably regulated for the public good.

Section 22-38. Definitions.

For the purposes of Sections 22-37 through 22-39, the following definitions shall apply:

1. "All-terrain vehicle" shall mean a vehicle powered by an internal combustion engine manufactured and used exclusively for off-highway use traveling on four or more low-pressure tires, and having a seat designed to be straddled by the operator and handlebars for steering;
2. "Golf cart" shall mean any four-wheeled internal combustible or electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour designed primarily for the operation on a recreational golf course which is not registered with the State of Oklahoma;
3. "Low-speed electrical vehicle" shall mean any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. 571.500;
4. "Maintenance utility vehicle" shall mean a vehicle powered by either an internal combustion engine or electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour utilized for transportation of City employees or equipment during routine maintenance of City-owned property or facilities;
5. "Mini-truck" shall mean a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of 1,000 cubic centimeters or less, which is 67 inches or less in width, with an unladen dry weight of 3,400 pounds or less, traveling on four or more tires, having a top speed of approximately 55 miles per hour, equipped with a bed or compartment for hauling and having an enclosed passenger cab;
6. "Utility vehicle" shall mean a vehicle powered by an internal combustion engine, manufactured and used exclusively for off-highway use, equipped with seating for two or more people and a steering wheel, traveling on four or more wheels.

Section 22-39. Special Provisions; Exceptions.

1. Notwithstanding the definitions of the terms "motor vehicle" and "motorcycle" contained in the Motor Vehicle License and registration act, Title 47 O.S. 1975, § 562, motor-driven cycles, known and commonly referred to as "mini-bikes," "trail bikes," all terrain vehicles and other similar trade names, shall not be permitted to be operated on the streets or highways of the City of Elk City.

2. The provisions of this section shall also apply to those motor-driven or operated vehicles known as golf carts, go-karts, power lawn mowers and other motor vehicles which are manufactured principally for use off the streets and highways. However, this shall not prohibit occasional necessary movement of such golf carts, go-karts, power lawn mowers and other vehicles on streets, and shall not prohibit the use of mini-bikes and trail bikes used by participants in parades.

3. Nothing in section 22-37 through 22-39 shall be interpreted to prohibit farm vehicles from using the City streets or highways.

4. Golf carts, utility vehicles, side-by-side four wheelers and small vehicles commonly known as mini-trucks are prohibited from operating on Federal and State highways and City streets or highways within the limits of the City of Elk City, except as follows:

- a. When such vehicle is operated by a person 16 years of age or older possessing a valid operators license during the daylight hours only. (Daylight hours are determined to be 1/2 hour after sunrise and 1/2 hour before sunset as listed by the National Oceanic and Atmospheric Administration);
- b. When such vehicle is operated on a Federal or State highway only if making a perpendicular (90°) crossing of a Federal or State highway located within the limits of the City of Elk City;

5. Every person operating golf carts, utility vehicles, side-by-side four wheelers and small vehicles commonly known as mini-trucks upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under the laws of this state declaring rules of the road applicable to vehicles or by the Traffic Ordinances of the City applicable to the driver of a vehicle, except as to special regulations in this section and except as to those provisions of law and ordinances which by their nature can have no application.

6. All golf carts, utility vehicles, side-by-side four wheelers and small vehicles commonly known as mini-trucks operating in the limits of the City of Elk City shall have a Slow Moving Vehicle emblem which shall be affixed to the rear portion of the aforementioned vehicles. Golf carts and utility vehicles shall be equipped with a lap safety belt for each occupant of the golf cart or utility vehicle. Passengers under the age of six years old are restricted from riding upon golf carts or utility vehicles, unless the driver of the golf cart or utility vehicle is

twenty-one(21) years of age or older.

7. All golf carts, operating in the limits of the City of Elk City shall be restricted from operating on a street or highway with a posted speed limit greater than 35 MPH and shall not be driven at a speed greater than 35 MPH. (amended 5/6/2024)

8. All utility vehicles, side-by-side four wheelers and small vehicles commonly known as mini-trucks operating in the limits of the City of Elk City shall be restricted from operating on a street or highway with a posted speed limit greater than 45 MPH and shall not be driven at a speed greater than 45 MPH. (amended 5/6/2024)

9. City-owned maintenance utility vehicles may be operated anywhere within the City limits of the City of Elk City by City employees. Operation of City-owned maintenance utility vehicle on any street or highway with speed limits posted greater than thirty-five (35) MPH must be authorized by the City Manager or his/her designee, and (amended 5/6/2024)

- a. Driven only while performing specific tasks;
- b. Operated during normal business hours daytime only); and
- c. Utilized only as determined by the City Manager or his/her designee.

10. Owners of all golf carts, utility vehicles, side-by-side four wheelers and small vehicles commonly known as mini-trucks operated on any City street of the City of Elk City will be required to;

- a. Purchase a City permit for such operation from the Oklahoma Tax Commission (tag agency). (The permit will be valid for a period of 12 months from the date of purchase); and
- b. Carry liability insurance issued through a licensed insurance company.

Sections 22-40 through 22-44. (Reserved for future use.)

Article 5. Traffic Control Devices

Section 22-45. Installation of Traffic Control Devices.

The City Commission shall have traffic-control signs, signals and devices placed and maintained, when and as required under the ordinances of the City of Elk City, Oklahoma, to make

the provisions of such Ordinances effective.

Section 22-46. Specifications for Traffic Control Devices.

All traffic-control signs, signals and devices shall conform to the Manual on Uniform Traffic Control Devices, Current Edition, approved by the Oklahoma State Department of Transportation. All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the municipality. All traffic-control devices so erected and not inconsistent with the provision of State Law or this Chapter, shall be official traffic control devices.

Section 22-47. Turn Signs and Indicators.

1. The City Commission is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on said signs.

2. Whenever authorized signs are erected, indicating that no right, left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

3. Unless otherwise indicated by such signs, a right turn on red or stop shall be permitted after the vehicle has come to a complete stop.

Section 22-48. Designation and Marking of One-Way Streets.

Whenever the City Commission designates any street, alley or part thereof as a one-way street or alley, said City Commission shall have signs placed, giving notice thereof. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Section 22-49. Marking of Traffic Lanes.

1. The City Commission is hereby authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

2. Where traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lanes, except when lawfully passing another vehicle, preparing to make a lawful turning movement or as otherwise authorized by Ordinance.

Section 22-50. Designation and Marking of Crosswalks.

The City Commission shall have the authority to designate, by appropriate devices or lines upon the surface of the roadway, crosswalks at intersections or other places where, in its opinion, there is particular danger to pedestrians crossing the roadway.

Section 22-51. Unauthorized Signs or Devices.

1. No person shall place, maintain or display, upon or in view of any highway, an unauthorized sign, signal, marking or device which purports to be, is an imitation of, or resembles an official traffic-control device or railroad sign or signal, which attempts to direct the movement of traffic, which projects any flashing or revolving beams of light, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

2. No person shall place or maintain, nor shall any public authority permit, upon any highway, any traffic sign, signal or device bearing thereon any commercial advertising.

3. This Section shall not be deemed to prohibit the placement, upon private property, of signs giving useful directional information and of a type that cannot be mistaken for official signs.

4. Every such prohibited sign, signal, marking or device is hereby declared to be a public nuisance, and the City Commission is hereby empowered to remove the same, or cause it to be removed.

Section 22-52. Classification of Streets.

1. The City Commission may adopt (by Resolution) a Street Classification System for the City of Elk City, Oklahoma. Whenever such a system is adopted, it shall be the duty of said City Commission to have stop signs placed and maintained, or if deemed more appropriate at any intersection, yield signs, on each and every street involved in the implementation of the Classification System (unless traffic at any intersection is controlled at all times by traffic-control signals).

2. The City Commission is hereby authorized to determine and designate intersections where a particular hazard exists and to determine:

- a. Whether vehicles shall stop at one (1) or more entrances to any such intersection, in which event it shall cause to be erected a Stop sign at every such place where a stop is required; or
- b. Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event, it shall cause to be erected a yield sign at every place where obedience thereto is required.

3. Every stop and yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway.

Sections 22-53 through 22-64. (Reserved for future use.)

Article 6. Parking, Stopping and Loading

Section 22-65. Stopping or Parking Prohibited in Specified Places.

1. No person shall stop or park a vehicle, except when necessary to avoid a conflict with other traffic or in compliance with law, Ordinance, the directions of a police officer or traffic-control device, or in an emergency situation, in any of the following places:

- a. On any sidewalk;
- b. In front of, or obstructing any driveway;
- c. Within an intersection;
- d. Within fifteen (15) feet of a fire hydrant (except in an officially-marked parking space);
- e. Within or on a crosswalk;
- f. Within twenty (20) feet of the driveway entrance to any fire station;
- g. Near any street work or excavation, when stopping or parking would obstruct traffic;
- h. On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double- parking or double-stopping);
- i. In any alley where less than ten (10) feet of the roadway will be left available for the movement of vehicular traffic; or
- j. At any place where official signs prohibit stopping.

2. The City Commission is hereby authorized to establish parking time limits, and to prohibit parking on designated streets and parts of streets by having appropriate signs placed thereon.

Section 22-66. Angle Parking.

1. The City Commission shall determine upon what streets and parts of streets, angle parking shall be permitted, and shall have such streets marked or signed.

2. On those streets which have been so signed or marked for angle parking, 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 or outside of the area enclosed by said markings.

Section 22-67. Standing or Parking Close to Curb; Brakes.

1. Except as otherwise provided in this Article, every vehicle stopped or parked upon a roadway where there are adjacent curbs, shall be so stopped or parked with the right-hand wheels of such vehicle parallel to, and within eighteen (18) inches of, the right-hand curb; provided that every vehicle stopped or parked upon the left-hand side of a one-way street where there are adjacent curbs, shall be parked or stopped with the left-hand wheels parallel to, and within eighteen (18) inches of, the left-hand curb.

2. Adequate brakes shall be set on all parked vehicles.

Section 22-68. Parking on Private Property.

1. It shall be unlawful to place or park a motor vehicle or a trailer upon the posted private property of another, without first obtaining permission from the person in charge of such property, except where said placing or parking is involuntary.

2. A landowner, or other person in charge of the land, may cause any motor vehicle or trailer which is left on private property after posted hours, to be removed and impounded by an appropriate wrecker service. The Police Department or any police officer is also authorized to remove any unauthorized vehicles from private property upon direction of the owner of the property or persons in charge of the property. The City of Elk City, Oklahoma, any landowner or person in charge of the property shall not be liable for any damages which may occur to the trespassing vehicle or trailer under the terms of this Section, while the same is trespassing, while it is being removed from his property or while it is in storage.

Section 22-69. Certain Truck Parking Prohibited.

It shall be unlawful to place or park any truck in excess of one ton or in excess of one axle, or any vehicle other than passenger automobiles, pick-ups, vans, or other similar vehicles on any residential street, or alley, or within twenty-five (25) feet of any such residential street or alley within the City of Elk City, except for the purposes of loading and unloading. Provided however, it shall be unlawful for any vehicle to be parked on any street where signs clearly prohibit such parking.

Section 22-70. Presumption in Reference to Illegal Parking.

1. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall

constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

2. The foregoing stated presumption shall apply only when the procedure of giving a citation tag has been followed.

Section 22-71. Loading Zones.

1. The City Commission is hereby authorized to determine the location of passenger and freight curb loading zones, and shall have appropriate signs placed, indicating the same and stating the hours during which the provisions of this Section are applicable. By the same authority, such loading zones may be changed or discontinued.

2. When such a loading zone is established upon the request of any person, firm or corporation, the City Commission shall not have signs placed until the applicant has paid to the City Clerk an amount of money estimated by said City Commission to be adequate to reimburse the City for all costs of establishing and signing the same.

3. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as freight curb loading zone during hours when the provisions applicable to such zones are in effect.

Sections 22-72 through 22-79. (Reserved for future use.)

Article 7. Bicycles

Section 22-80. Traffic Laws Applicable to Persons Riding Bicycles.

Every person riding a 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 Laws of this State declaring the rules of the road applicable to vehicles, or by the Ordinances of the City of Elk City, Oklahoma, applicable to the driver of a vehicle, except as to special regulations in this Article and to those provisions of laws or Ordinances which, by their nature, can have no application.

Section 22-81. Bicycle Equipment.

Every bicycle in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from all distances, up to five hundred (500) feet to the front, and with a red reflector on the rear of a type which shall be visible from all distances up to three hundred (300) feet to the rear, when directly in front of lawful upper beams of headlamps on a motor vehicle.

Section 22-82. Obedience to Traffic Control Devices.

1. Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

2. Wherever authorized signs are erected indicating that no right, left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event, such person shall then obey the regulations applicable to pedestrians.

Section 22-83. Riding on Bicycles.

1. No bicycle shall be used to carry more persons at a time than the number for which it is designed and equipped.

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

3. Wherever a usable path for bicycles has been provided adjacent to a road way, bicycle riders shall use such path and not the roadway.

4. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

5. The operator of a bicycle emerging from an alley, driveway or building shall yield the right-of-way to all approaching pedestrians, and upon entering a roadway, shall yield the right-of-way to all vehicles approaching on such roadway.

6. The City Commission is authorized to have signs placed on any traffic way prohibiting the riding of bicycles thereon by any person; when such signs are in place, no person shall disobey the same.

Section 22-84 through 22-89. (Reserved for future use.)

Article 8. Pedestrians

Section 22-90. Application of Article.

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

Section 22-91. Pedestrians.

1. When traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to so yield to a pedestrian crossing the roadway within a crosswalk.

2. No pedestrian shall suddenly leave any place of safety, and walk or run into the path of a vehicle.

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

Section 22-92. Drivers to Exercise Due Care.

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

Section 22-93 through 22-99. (Reserved for future use.)

Article 9. Motor Vehicle Security Verification

Section 22-100. Security Verification Required; Exemptions.

1. The owner of a motor vehicle registered in this state and operating said vehicle within the City's boundaries, shall carry in such vehicle at all times a current owner's security verification form listing the vehicle, or an equivalent form which has been used by the Oklahoma Department of Public Safety the form shall be produced by any driver thereof upon request for inspection by any law enforcement officer and, in case of a collision, the form shall be shown upon request to any person affected by said collision.

2. The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the Oklahoma Department of Public Safety during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes:

- a. any vehicle owned or leased by the federal or state government, or any agency or political subdivision thereof.
- b. any vehicle bearing the name, symbol or logo of the business, corporation or

utility on the exterior and which is in compliance with the Compulsory Insurance Law according to records of the Oklahoma Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy.

- c. any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission.
- d. any licensed taxicab, and
- e. any vehicle owned by a licensed motor vehicle dealer.

Section 22-101. Definitions.

- 1. "Owner's Policy". An owner's policy of liability insurance:
 - a. shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted.
 - b. shall insure the person named therein and insure any other person, except as provided in subparagraph c of this paragraph, using an insured vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, operation or use of such vehicle.
 - c. may provide for exclusions from coverage in accordance with existing laws, and
 - d. shall be issued by an authorized carrier providing coverage in accordance with Section 7-204 of Title 47 of the Oklahoma Statutes.
- 2. "Operator's Policy". An operator's policy of liability insurance shall insure the named person against loss from the liability imposed upon him by law for damages arising out of the operation or use by him of any motor vehicle not owned by him, subject to the same limits of liability required in an owner's policy.
- 3. "Security". Security means:
 - a. a policy or bond meeting the requirement of Section 7-204 of Title 47 of the Oklahoma Statutes.
 - b. a deposit of cash or securities having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond, or

- c. self-insurance, pursuant to the provisions of Section 7-503 of Title 47 of the Oklahoma Statutes, having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond.

4. "Compulsory Insurance Law". Compulsory Insurance Law is the law requiring liability insurance in conjunction with the operation of a motor vehicle in this state as found in Article VI, Chapter 7 of Title 47 of the Oklahoma Statutes.

5. "Security Verification Form". A security verification form is a form, approved by the State Board for Property and Casualty Rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma.

Section 22-102. Possession of Security Verification Form while Operating or Using certain Vehicles Required.

Every operator of a motor vehicle registered in this state, shall while operating or using such vehicle within the City's boundaries, carry either an operator's or an owner's security verification form issued by a carrier, providing the operator is not excluded from coverage thereon; or an equivalent form issued by the Department of Public Safety, reflecting liability coverage.

Section 22-103. Failure to Maintain Security an Offense.

1. Any owner or operator who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the Oklahoma Department of Public Safety upon request of any peace officer of the Elk City Police Department shall be guilty of an offense.

2. A sentence imposed for any violation of this section may be suspended or deferred in whole or in part by the court.

3. Any person producing proof in court that a current security verification form or equivalent form which has been issued by the Oklahoma Department of Public Safety reflecting this liability coverage for such person was in force at the time of the alleged offense shall be entitled to dismissal of such charge.

4. Upon conviction, bond forfeiture or deferral of sentence, the court clerk shall forward an abstract to the Oklahoma Department of Public Safety within ten (10) days reflecting the action taken by the court.

Sections 22-104 through 22-109. (Reserved for future use.)

Article 9 . Miscellaneous Provisions

Section 22-110. Obedience to Chapter.

1. It shall be unlawful for any person, firm or corporation to authorize or knowingly to permit any vehicle registered in his or its name, to be driven or be parked in violation of any provision of this Chapter.

2. The parent or guardian of any child or ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Chapter.

Section 22-111. Public Officials and Employees.

1. 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, and any State, county, municipal or other governmental unit or agency, as well as to other vehicles; it shall be unlawful for any said driver to violate any of the provisions of this Chapter, except as otherwise permitted in this Chapter or by State Laws.

2. This Chapter shall not apply to the military forces of the United States and organizations of the National Guard when performing military duty.

Section 22-112. Necessity of Signs.

No provisions of this Chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinary observant person. Whenever a particular Section does not state that signs are required, such Section shall be effective even though no signs are erected or in place.

Section 22-113. Equipment, Licensing and Inspection of Vehicles.

1. It shall be unlawful to operate a vehicle which is not equipped as required by law upon any street within the City of Elk City, Oklahoma. It shall also be unlawful to fail to use such equipment in the manner required by law, use it in a manner prohibited by law or to operate a vehicle which has equipment prohibited by law upon any street within said City.

2. It shall be unlawful to operate a vehicle of any kind upon a street of the City of Elk City, Oklahoma, unless such vehicle is licensed and displays a valid license plate thereon, as required by State Law.

3. It shall be unlawful to operate a motor vehicle, or any combination of such vehicles

licensed by the Oklahoma Tax Commission, unless said vehicle or vehicles bear a valid, official State Inspection Sticker issued by an official inspection station licensed by the Oklahoma Department of Public Safety; provided that such sticker is required by current State Law.

Section 22-114. Inspection of Vehicles.

Police officers shall have authority to inspect and test any vehicle upon the streets of the City at any time, with reasonable cause, to determine whether it is safe, properly equipped and whether its equipment is in proper adjustment and repair.

Section 22-115. Motorcycles.

A person operating a motorcycle, motor scooter or motor bicycle shall ride only upon the permanent and regular seat attached thereto and shall not carry any other person, nor shall any other person ride on the vehicle, unless it is designed to carry more than one (1) person, in which event, a passenger may ride only upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

Section 22-116. Construction Zones.

1. Municipal personnel, contractors or utility companies, while repairing or improving the streets of the City of Elk City, Oklahoma, or when installing, improving or repairing lines or other utility facilities in the streets, are here-by authorized, subject to control by the City Commission, to close any street, or section thereof, to traffic during such activity and shall erect, or cause to be erected, proper control devices and barricades to warn the public that such street has been closed to traffic.

2. When any street has been closed to traffic under the provisions of Subsection 1 (above) and traffic-control devices or barricades have been erected, it shall be unlawful for any person to drive any vehicle under, over, around or through such traffic-control devices or barricades, or otherwise to enter the closed area (except that the provisions of this Subsection shall not apply to persons while engaged in such construction, maintenance and repair, to persons entering therein for the protection of lives or property or to persons having their places of residence or business within such closed area, who may travel through such area at their own risk).

3. Whenever construction, repair or maintenance of any street, utility line or facility is being performed, and the street is not closed to traffic in accord with this Section, the municipal personnel, contractor or utility company concerned shall erect warning devices for the public. Every person using such street shall obey such warning devices.

Section 22-117. Persons Working on Streets.

1. Unless specifically made applicable, the provisions of this Chapter, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor

vehicles and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles and other equipment while actually engaged in construction, maintenance or repair of public utilities; provided that all highway and public utility operations shall be protected by adequate warning signs, signals, devices or flagmen.

2. However, the provisions of this Chapter shall apply to such persons and vehicles when traveling to or from such work.

Section 22-118. Riding or Clinging to Vehicles.

1. No person shall ride upon any vehicle or portion thereof not designed or intended for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty or a person riding within truck bodies in space intended for merchandise.

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

Section 22-119. Dangerous Objects in Streets.

1. It shall be unlawful for any person to place, cause to be placed, or let fall and remain, in or upon any street, any scrap iron, nail, tack, glass, stick or other thing which is likely to injure persons, damage property or render a street unsafe for traffic.

2. Any person, firm or corporation who shall violate any provision of this Section shall be guilty of an offense and, upon conviction thereof, shall be punished by fine not to exceed five hundred dollars (\$500.00) plus costs and may be imprisoned for any amount of time not to exceed sixty (60) days. Each day such violation is committed or continues to exist shall constitute a separate offense and shall be punishable as such.

Section 22-120. Funerals.

1. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

2. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

Section 22-121. Eluding a Police Officer.

1. It shall be unlawful and an offense for any operator of a motor vehicle who has received a visual and/or an audible signal (red light and/or a siren) from a police officer driving a motor vehicle, with insignia showing the same to be an official police, sheriff or Highway Patrol

car, directing the operator to bring his vehicle to a stop, to willfully increase his speed or extinguish his lights in an attempt to elude such police officer, to willfully attempt, in any other manner, to elude the police officer, or to elude such police officer.

2. Any person, firm or corporation who shall violate any provision of this Section shall be guilty of an offense and, upon conviction thereof, shall be punished by fine not to exceed five hundred dollars (\$500.00) plus costs and may be imprisoned for any amount of time not to exceed sixty (60) days. Each day such violation is committed or continues to exist shall constitute a separate offense and shall be punishable as such.

Section 22-122. Following Fire Apparatus Prohibited.

The driver of any vehicle, other than when on official business, shall not follow any fire apparatus traveling in response to a fire alarm, closer than five hundred (500) feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Section 22-123. Crossing Fire Hose.

No vehicle shall be driven over any unprotected hose of any 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.

Section 22-124. Obstruction of Driver's View.

1. No person shall drive a vehicle when it is so loaded, or when there are, in the front seat, such a number of persons exceeding three (3) as to obstruct the view of the driver to the front or sides of the vehicle, or as to interfere with the driver's control over the driving mechanism of the vehicle.

2. 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 his control over the driving mechanism of the vehicle.

Sections 22-125 through 22-134. (Reserved for future use.)

Article 10. Penalty

Section 22-135. Penalty.

Any person, firm or corporation who shall violate any provision of this Chapter shall be guilty of any offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 1-40 of this Code, unless a separate and distinct penalty is otherwise specifically set

forth in this Chapter. Each day's continuation of any such violation shall constitute a separate offense.