

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING

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CHAPTER 1

MISCELLANEOUS

SECTION

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15-101. Definitions. (1) "Authorized emergency vehicle." Authorized emergency vehicles shall be fire department vehicles, police vehicles and such ambulances and other emergency vehicles as are designated by the chief of police or fire chief, or as otherwise provided by Tennessee Code Annotated, § 55-8-101.

(2) "Bus." Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons.

(3) "Recreational vehicle." Any vehicle designed primarily for the transportation of passengers and providing temporary living quarters within said vehicle.

(4) "Trailer." Every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(5) "Truck." Every motor vehicle designed, used or maintained primarily for the transportation of property.

(6) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively upon stationary rails or tracks. (as added by Ord. #08-01, Feb. 2008)

15-102. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn and such other equipment as is prescribed and required by Tennessee Code Annotated, § 55-9-201, et seq. (as added by Ord. #08-01, Feb. 2008)

15-103. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (as added by Ord. #08-01, Feb. 2008)

15-104. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (as added by Ord. #08-01, Feb. 2008)

15-105. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the city for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven 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. (as added by Ord. #08-01, Feb. 2008)

15-106. Laned streets. 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 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 may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign; and

(4) (a) Where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five (5) or more vehicles are formed in line, shall turn or pull off the roadway wherever sufficient area exists to do so safely, in order to permit vehicles following it to proceed. As used in this subsection (4), a slow-moving vehicle is one which is proceeding at a rate of speed which is ten (10) miles per hour or more below the lawful maximum speed for that particular roadway at that time.

(b) Any person failing to conform with the provisions of subsection (4)(a) shall receive a warning citation on first offense and be liable for a fine of twenty dollars (\$20.00) on second offense, and fifty dollars (\$50.00) on third and subsequent offenses.

(c) Subsection (4)(a) shall not apply to funeral processions nor to school buses. (as added by Ord. #08-01, Feb. 2008)

15-107. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his or her vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (as added by Ord. #08-01, Feb. 2008)

15-108. Miscellaneous traffic control signs, etc. It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic control sign, signal, marking, or device placed or erected by the state or the city unless otherwise directed by a police officer.

No person shall willfully fail or refuse to comply with any lawful order of any police officer invested by law with the authority to direct, control or regulate traffic. (as added by Ord. #08-01, Feb. 2008)

15-109. General requirements for traffic control signs, etc. All traffic control signs, signals, markings and devices shall conform to the latest revision of the Manual of Uniform Traffic-Control Devices for Streets and Highways, published by the U.S. Department of Transportation, Federal Highway Administration and shall, so far as practicable, be uniform as to type and location throughout the city. This section shall not be construed as being mandatory, but is merely directive. (as added by Ord. #08-01, Feb. 2008)

15-110. Unauthorized traffic control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control sign, signal, marking, or device or railroad sign or signal, which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic control sign, signal, marking, or device or any railroad sign or signal. (as added by Ord. #08-01, Feb. 2008)

15-111. Presumption with respect to traffic control signs, etc. When a traffic control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper city authority. (as added by Ord. #08-01, Feb. 2008)

15-112. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned under the authority of the chief of police and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (as added by Ord. #08-01, Feb. 2008)

15-113. Driving through funerals or other processions. Except when otherwise directed by a police officer, 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. (as added by Ord. #08-01, Feb. 2008)

15-114. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, rollerskates, or any other vehicle to cling to, or attach himself or herself or his or her vehicle to any other moving vehicle upon any street, alley, or other public way or place. (as added by Ord. #08-01, Feb. 2008)

15-115. Riding on outside of vehicles. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place, to permit any person to ride on any portion of such vehicle not designated or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to adults riding in the load-carrying space of trucks. (as added by Ord. #08-01, Feb. 2008)

15-116. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (as added by Ord. #74-11, July 1974)

15-117. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise, there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (as added by Ord. #08-01, Feb. 2008)

15-118. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (as added by Ord. #08-01, Feb. 2008)

15-119. Vehicles and operators to be licensed. (1) All motor vehicles required by state law to be registered with the county clerk with an address within the city must be registered with the county clerk. Registration shall be valid for a term concurrent with the state automobile registration.

(2) No person shall operate any motor vehicle on any street without having in his or her possession an operator's license or a chauffeur's license valid under the laws of the State of Tennessee, or, if a non-resident, under the laws of the state in which he or she is a resident. (as added by Ord. #08-01, Feb. 2008)

15-120. Duty to devote full time and attention. It shall be unlawful for a driver of a vehicle to fail to devote full time to the driving of said vehicle when such failure, under the then existing circumstances, endangers life, limb or property. (as added by Ord. #08-01, Feb. 2008)

15-121. Slower traffic to keep right. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (as added by Ord. #08-01, Feb. 2008)

15-122. Passing. (1) In opposite direction. 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 (½) of the main-traveled portion of the roadway as nearly as possible.

(2) In the same direction. Except as otherwise provided in subsection (6) of this section, 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.

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

(4) At intersection or railroad crossing. No vehicle shall be driven to the left of the center of any street for the purpose of passing another vehicle

when approaching within one hundred (100) feet of any intersection or while traversing any intersection or railroad grade crossing. This subsection shall not apply to one-way streets or to streets where special signs or markings permit driving to the left of the center.

(5) Passing on left prohibited--exception. No vehicle shall be driven to the left of the center of the roadway upon any street of sufficient width for two (2) or more lines of moving vehicles in each direction, except when the right half of the roadway is obstructed, and then such movement shall be made in safety in accordance with this section.

(6) Passing on right permitted. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn.

(b) Upon a street with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction when traffic is moving in two (2) or more substantially continuous lines in direction of travel.

(c) Upon a one-way street or upon any roadway on which traffic is restricted to one (1) direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

(7) Duty of safe operation. 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 this roadway.

(8) Vehicles to give way to passing vehicle. 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 the speed of his vehicle until completely passed by the overtaking vehicle. (as added by Ord. #08-01, Feb. 2008)

15-123. Entering intersection. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal to proceed. (as added by Ord. #08-01, Feb. 2008)

15-124. Following too closely--prohibited. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street. (as added by Ord. #08-01, Feb. 2008)

15-125. Driving too slowly--prohibited. No person shall drive a motor vehicle upon any street at such a slow speed as to impede the normal and

reasonable movement of traffic, except when reduced speed is necessary for safety operation or in compliance with the law. (as added by Ord. #08-01, Feb. 2008)

15-126. Driver to exhibit safe speed, safe lookout and due care.

Notwithstanding any speed limit or zone in effect at the time, or right-of-way rules that may be applicable, every driver shall:

- (1) Operate his vehicle at a safe speed;
- (2) Maintain a safe lookout;
- (3) Use due care to keep his vehicle under control. (as added by Ord. #08-01, Feb. 2008)

15-127. Driving or riding in lap prohibited. No operator of a vehicle shall have in his lap any other person, adult or minor, nor shall the operator be seated in the lap of any person while the vehicle is in motion. (as added by Ord. #08-01, Feb. 2008)

15-128. Motorcycles, motor-driven cycles, motorized bicycles, bicycles, etc. (1) Definitions. For the purpose of the application of this section, the following words shall have the definitions indicated:

(a) "Motorcycle." Every 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 or motorized bicycle.

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred and twenty-five cubic centimeters (125cc).

(c) "Motorized bicycle." A vehicle with two (2) or three (3) wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty cubic centimeters (50cc) which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground.

(2) Every person riding or operating a bicycle, motor cycle, motor driven cycle or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, motor driven cycles, or motorized bicycles.

(3) No person operating or riding a bicycle, motorcycle, motor driven cycle or motorized bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

(4) No bicycle, motorcycle, motor driven cycle or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(5) No person operating a bicycle, motorcycle, motor driven cycle or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.

(6) No person under the age of sixteen (16) years shall operate any motorcycle, motor driven cycle or motorized bicycle while any other person is a passenger upon said motor vehicle.

(7) Each driver of a motorcycle, motor driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

(8) Every motorcycle, motor driven cycle, or motorized bicycle operated upon any public way within the corporate limits shall be equipped with a windshield or, in the alternative, the operator and any passenger on any such motorcycle, motor driven cycle or motorized bicycle shall be required to wear safety goggles, faceshield or glasses containing impact resistant lens for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

(9) It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle, motor driven cycle or motorized bicycle in violation of this section. (as added by Ord. #08-01, Feb. 2008)

15-129. Delivery of vehicle to unlicensed driver, etc.

(1) Definitions. (a) "Juvenile" as used in this chapter shall mean a person less than eighteen (18) years of age, and no exception shall be made for a juvenile who has been emancipated by marriage or otherwise.

(b) "Adult" shall mean any person eighteen (18) years of age or older.

(c) "Custody" means the control of the actual physical care of the juvenile, and includes the right and responsibility to provide for the physical, mental, moral and emotional well being of the juvenile. "Custody" as herein defined, relates to those rights and responsibilities as exercised by the juvenile's parent or parents or a person granted custody by a court of competent jurisdiction.

(d) "Automobile" shall mean any motor driven automobile, car, truck, tractor, motorcycle, motor driven cycle, motorized bicycle, or vehicle driven by mechanical power.

(e) "Driver's license" shall mean a motor vehicle operators license or chauffeurs license issued by the State of Tennessee.

(2) It shall be unlawful for any adult to deliver the possession of or the control of any automobile or other motor vehicle to any person, whether an adult

or a juvenile, who does not have in his possession a valid motor vehicle operators or chauffeurs license issued by the Department of Safety of the State of Tennessee, or for any adult to permit any person, whether an adult or a juvenile, to drive any motor vehicle upon the streets, highways, roads, avenues, parkways, alleys or public thoroughfares in the City of Bartlett unless such person has a valid motor vehicle operators or chauffeurs license as issued by the Department of Safety of the State of Tennessee.

(3) It shall be unlawful for any parent or person having custody of a juvenile to permit any such juvenile to drive a motor vehicle upon the streets, highways, roads, parkways, avenues or public ways in the city in a reckless, careless, or unlawful manner, or in such manner as to violate the ordinances of the city. (as added by Ord. #08-01, Feb. 2008)

15-130. Compliance with financial responsibility law required.

(1) Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law.

(2) At the time the driver of a motor vehicle is charged with any moving violation under Tennessee Code Annotated, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" means:

(a) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been issued;

(b) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insurer under Tennessee Code Annotated, § 55-12-111;

(c) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the department of safety or the interstate commerce commission, or was owned by the United States, the State of Tennessee or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

(3) It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is punishable by a civil penalty of up to fifty dollars (\$50.00).

(4) The penalty imposed by this section shall be in addition to any other penalty imposed by the laws of this state or this municipal code.

(5) On or before the court date, the person so charged may submit evidence of compliance with this section at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #08-01, Feb. 2008)

15-131. Striking parked vehicle or fixed object prohibited. It shall be unlawful for the driver of any vehicle while operating such vehicle on a public street or alley to drive such vehicle into, against or upon a parked vehicle or fixed object thereon. (as added by Ord. #08-01, Feb. 2008)

15-132. Right-of-way for trains. (1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the following circumstances, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.

(b) 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.

(c) A railroad train approaching within approximately one thousand five hundred (1,500) feet of the street crossing emits a signal audible from such distance, or when such railroad train, by reason of its speed or nearness to such crossing is an immediate hazard.

(d) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(2) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (as added by Ord. #08-01, Feb. 2008)

15-133. Wearing headset while operating vehicle prohibited. It shall be unlawful for any person, while driving or operating a vehicle on a public street or highway, to wear a radio/tape or any other type headset in or over their ears which would reduce their ability to hear the audible warning signals of any approaching emergency vehicle.

A violation of this section shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). (as added by Ord. #08-01, Feb. 2008)

15-134. Use of safety belts in passenger vehicles required.

(1) Definitions. The following terms as used in this section shall have the following meaning:

(a) "Passenger car" or "passenger motor vehicle." Any motor vehicle with a manufacturer's gross vehicle weight rating of eight thousand five hundred (8,500) pounds or less that is not used as a public or livery conveyance for passengers. The term, "passenger car" or "passenger motor vehicle," shall not apply to motor vehicles, which are not required by federal law to be equipped with safety belts.

(2) Violations, penalties applicability. (a) No person shall operate a passenger motor vehicle within the city limits of Bartlett unless such person and all passengers from four (4) years of age or older are restrained by a belt at all times the vehicle is in forward motion. Children under four (4) years of age must be properly restrained in an approved child restraint device. Children between the ages of four (4) and eight (8) years of age, weighing less than forty (40) pounds must be in an integrated child seat or belt positioning booster seat, as outlined in Tennessee Code Annotated, § 55-9-602.

(b) The provisions of this section shall apply only to the operator and all passengers occupying the front seat of a passenger motor vehicle, with the exception of persons aged four (4) through seventeen (17), who must be restrained regardless of where they are in the vehicle, and others as outlined in subsection (2)(a). If the vehicle is equipped with a rear seat, which is capable of folding, the provisions of this section shall only apply to front seat passengers and operators if the back seat is in the fold down position.

(c) Violation of any provision of this section is hereby declared to be a misdemeanor, any operator of a passenger motor vehicle convicted of a violation hereunder shall be fined twenty-five dollars (\$25.00) for each person in the passenger motor vehicle failing to use a seat belt or child restraint device as provided in this subsection.

(d) Revenues collected under this subsection shall be paid into the city's general fund.

(3) Exceptions. This section does not apply to:

(a) A passenger or operator with a physically disabling condition whose physical disability would prevent appropriate restraint in such safety seat or safety belt; provided, that such condition is certified in writing by a physician who shall state the nature of the handicap, as well as the reason such restraint is inappropriate.

(b) A passenger motor vehicle operated by a rural letter carrier of the United States Postal Service while performing the duties of a rural letter carrier.

(c) Utility workers, water, gas and electric meter readers in the course of their employment; or

(d) A newspaper delivery motor carrier service while performing the duties of a newspaper delivery motor carrier service; provided, that this exemption shall only apply from the time of the actual first delivery to the customer until the last actual delivery to the customer. (as added by Ord. #08-01, Feb. 2008)

15-135. Jaywalking prohibited. It shall be unlawful for pedestrians to jaywalk on any street within the city limits of Bartlett, Tennessee where cross lanes are provided. (as added by Ord. #08-01, Feb. 2008)

15-136. Operation of authorized emergency vehicles. (1) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

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

(a) Park or stand, irrespective of the provisions of this title;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the maximum speed limit so long as life or property is not thereby endangered; and

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except that an authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's own reckless disregard for the safety of others. (as added by Ord. #08-01, Feb. 2008)

15-137. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a firefighter or police officer. (as added by Ord. #08-01, Feb. 2008)

15-138. City fee. All motor vehicles owned by residents within the City of Bartlett, Tennessee shall be required to pay a city fee of twenty-five dollars (\$25.00) per year for each vehicle. "Motor vehicles" means any passenger car, truck, motorvan, motorcycle or any motor driven vehicle using streets within the

corporate limits of the City of Bartlett and registered to an address within the corporate limits of the City of Bartlett, Tennessee. (as added by Ord. #08-01, Feb. 2008)

15-139. Shelby County Court Clerk to collect fees. The Mayor of the City of Bartlett is authorized to contract with the Shelby County Clerk to collect the applicable motor vehicle fees. (as added by Ord. #08-01, Feb. 2008)

15-140. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302(a), the City of Bartlett adopts by reference the appropriate provisions of the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, §§ 55-8-133 through 55-8-150, and §§ 55-8-152 through 55-8-180. Additionally, the City of Bartlett adopts by reference the appropriate provisions of Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §§ 55-9-601 through 55-9-606, § 55-12-139 and § 55-21-108 not specifically adopted or adopted as modified in this title. (as added by Ord. #08-01, Feb. 2008)

CHAPTER 2

SPEED LIMITS

SECTION

15-201. In general.

15-202. At intersections.

15-203. In school zones.

15-204. Speed of railroad trains regulated within city.

15-201. In general. It shall be unlawful for any person to operate a motor vehicle upon the streets of the City of Bartlett at a speed greater than thirty (30) miles per hour, except in areas designated for a greater speed. (as added by Ord. #08-01, Feb. 2008)

15-202. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic control signals or signs which require traffic to stop or yield on the intersecting streets. (as added by Ord. #08-01, Feb. 2008)

15-203. In school zones. No vehicle shall be driven at a greater rate of speed than fifteen (15) miles per hour on that portion of any street which has been designated as a school zone by official signs, during any time when school children are on the streets or sidewalks within such school zone, either en route to or returning from school or while school safety patrols or police officers are on duty. Such school zones shall be confined to such portions of the streets adjacent to school grounds, or for a distance not to exceed one thousand (1,000) feet beyond the boundaries of such grounds. (as added by Ord. #08-01, Feb. 2008)

15-204. Speed of railroad trains regulated within city. (1) The maximum speed of any freight train, passenger train, or any type of motor-driven vehicle, using the railroad tracks through the city limits of the City of Bartlett, shall not exceed thirty (30) miles per hour.

(2) This section shall not apply, wherein an emergency shall exist, that shall require the clearing of all railroad tracks, for the safety and well being of the citizens of the City of Bartlett.

(3) The penalty for the violations of this section shall be fifty dollars (\$50.00). (as added by Ord. #08-01, Feb. 2008)

CHAPTER 3

TURNING MOVEMENTS

SECTION

- 15-301. Duty of safety turning maneuvers.
- 15-302. Right turns generally.
- 15-303. Left turns generally.
- 15-304. Left turns on one-way streets.
- 15-305. Turns by trucks, buses and larger vehicles.
- 15-306. Turns may be prohibited by sign.
- 15-307. Left turns at intersections.
- 15-308. U-turns.

15-301. Duty of safety turning maneuvers. No person shall turn a vehicle at an intersection, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. (as added by Ord. #08-01, Feb. 2008)

15-302. Right turns generally. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the street. (as added by Ord. #08-01, Feb. 2008)

15-303. Left turns generally. 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. (as added by Ord. #08-01, Feb. 2008)

15-304. Left turns on one-way streets. 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 at such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, as nearly as practicable, proceed in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (as added by Ord. #08-01, Feb. 2008)

15-305. Turns by trucks, buses and larger vehicles. The driver of any truck, bus or any large vehicle which cannot comply with the foregoing provisions due to the size of the vehicle may use such additional portions of the street or roadway as may be necessary for a right turn; provided, however, that the driver of such vehicle, before making such turn, shall first determine that this movement may be made in safety. (as added by Ord. #08-01, Feb. 2008)

15-306. Turns may be prohibited by sign. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the direction of any such sign. (as added by Ord. #08-01, Feb. 2008)

15-307. Left turns at intersections. 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, but said driver, having so yielded and having giving a signal when and as required by this chapter, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (as added by Ord. #08-01, Feb. 2008)

15-308. U-turns. No driver of any motorized vehicle shall make a u-turn (reverse direction) upon any street, unless such street is divided by a median and then, only where there is a curb cut provided for such and not at locations on these streets where a no u-turn sign is posted. (as added by Ord. #08-01, Feb. 2008)

CHAPTER 4

STOPPING AND YIELDING

SECTION

- 15-401. Stops to be signaled.
- 15-402. Change of driver's signal prohibited--exception.
- 15-403. Driver's response to signal required.
- 15-404. Entering traffic with safety required.
- 15-405. At traffic control signals generally.
- 15-406. Driver's duty to observe flashing signal.
- 15-407. At pedestrian control signals.
- 15-408. Right-of-way at intersection.
- 15-409. At yield signs.
- 15-410. At stop signs.
- 15-411. At railroad crossings.
- 15-412. When emerging from alleys, etc.
- 15-413. To prevent obstructing an intersection.

15-401. Stops to be signaled. (1) The driver of any vehicle who intends to stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give an appropriate signal, plainly visible to the driver of such other vehicles of his intention to make such movement. Such signal shall be given continuously for a distance of at least fifty (50) feet before slowing down, stopping, turning, partly turning or materially altering the course of the vehicle. The signal herein required shall be given by means of the hand and arm or by some mechanical or electrical device approved by the state department of safety.

(2) Whenever the signal required by subsection (1) is given by means of the hand or arm, the driver shall indicate his intention to stop or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:

(a) Left turn. For a left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder.

(b) Right turn. For a right turn, or to pull to the right, the arm shall be extended upward.

(c) Slowing down or stopping. For slowing down or to stop, the arm shall be extended downward. (as added by Ord. #08-01, Feb. 2008)

15-402. Change of driver's signal prohibited--exception. Drivers having once given a hand, electrical or mechanical device signal, must continue the course thus indicated, unless they alter the original signal and take care

that the drivers of the vehicles and pedestrians have seen and are aware of the change. (as added by Ord. #08-01, Feb. 2008)

15-403. Driver's response to signal required. Drivers receiving a signal from another driver shall keep their vehicles under complete control and shall be able to avoid an accident resulting from a misunderstanding of such signal. (as added by Ord. #08-01, Feb. 2008)

15-404. Entering traffic with safety required. No vehicle shall be pulled out or backed from a curb into traffic until such movement may be made without danger to persons or property, and all vehicles proceeding in a street shall have the right-of-way over all vehicles pulling from a curb into traffic. (as added by Ord. #08-01, Feb. 2008)

15-405. At traffic control signals generally. Whenever traffic controlled by traffic-control signals exhibiting the words "go," "caution" or "stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and such terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green alone or "Go":

(a) Vehicular traffic facing the 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 times such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Yellow alone or "Caution" when shown following the green or "Go" signal:

(a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) Red alone or "Stop":

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the nearside of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(b) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone, unless authorized to do so by a pedestrian "Walk" signal.

(4) Red with green arrow:

(a) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(b) 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. (as added by Ord. #08-01, Feb. 2008)

15-406. Driver's duty to observe flashing signal. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

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

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-411 of this code. (as added by Ord. #08-01, Feb. 2008)

15-407. At pedestrian control signals. Wherever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place, such signals shall indicate as follows:

(1) "Walk." Pedestrians facing such signals may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) "Wait" or "Don't Walk." No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed crossing on the walk signal shall proceed to a sidewalk or safety island while the wait signal is showing. (as added by Ord. #08-01, Feb. 2008)

15-408. Right-of-way at intersection. The driver of a vehicle approaching an intersection not controlled by a traffic sign or signal shall yield the right-of-way to a vehicle which has entered the intersection from a different street. When two (2) vehicles enter an uncontrolled intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. (as added by Ord. #08-01, Feb. 2008)

15-409. At yield signs. (1) Whenever a "yield" sign has been placed at or near an intersection, all drivers approaching such sign shall proceed with caution, slowing down or stopping if necessary so as not to interfere with traffic moving on the intersecting street and such drivers shall not proceed into the intersecting street until such movement can be made with safety.

(2) Where there is provided more than one (1) lane for vehicular traffic entering a through highway or other public roadway, if one (1) or more lanes at such entrance are designated a yield lane by appropriate marker, this section shall control the movement of traffic in any lane so marked with a yield sign, even though traffic in other lanes may be controlled by an electrical signal device or other signs, signals, markings or controls. (as added by Ord. #08-01, Feb. 2008)

15-410. At stop signs. (1) When official stop signs are erected at or near the entrance to any intersection, every driver of a vehicle approaching 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 except when directed to proceed by a police officer or traffic control signal.

(2) Every driver who has stopped his vehicle at a stop sign, in compliance with this section, shall remain stopped and shall not proceed into or through the intersecting street until such movement can be made in safety. Such driver shall yield the right-of-way to all vehicles moving in lawful manner upon the intersecting street. (as added by Ord. #08-01, Feb. 2008)

15-411. At railroad crossings. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the following circumstances, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he 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 (1,500) feet of the street crossing emits a signal audible from such distance, or when such railroad train, by reason of its speed or nearness to such crossing is an immediate hazard.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(5) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (as added by Ord. #08-01, Feb. 2008)

15-412. When emerging from alleys etc. The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield 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 the roadway. (as added by Ord. #08-01, Feb. 2008)

15-413. To prevent obstructing an intersection. No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic control signal indication to proceed. (as added by Ord. #08-01, Feb. 2008)

CHAPTER 5

PARKING

SECTION

15-501. Generally.

15-502. Parking vehicles on residential streets.

15-503. Parking non-motor equipment/vehicle on residential streets restricted.

15-504. Improper parking.

15-505. Occupancy of more than one space.

15-506. Loading and unloading zones.

15-507. Presumption with respect to illegal parking.

15-501. Generally. No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

Except as hereinafter provided, every vehicle parked upon a street within this city shall be so parked that its right wheels are approximately parallel to and within twelve (12) inches of the right edge or curb of the street. On one-way streets where the city has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street, and in such cases the left wheels shall be required to be within twelve (12) inches of the left edge or curb of the street.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (as added by Ord. #08-01, Feb. 2008)

15-502. Parking vehicles on residential streets. (1) It shall be unlawful for any person to park, or knowingly permit, any passenger vehicle on any residential street in the city for a period of time longer than seventy-two (72) hours consecutively.

(2) No truck or bus having a declared maximum vehicle weight of twelve thousand (12,000) pounds or more, or more than six (6) wheels, shall be parked or left unattended in any residential zoning district.

(3) All other commercial vehicles, having a declared maximum weight of one (1) ton or more, shall not be permitted to park on any residential street in the city. All commercial vehicles, as defined above, must be parked on private property while being actively loaded or unloaded. (as added by Ord. #08-01, Feb. 2008)

15-503. Parking non-motor equipment/vehicle on residential streets restricted. (1) It shall be unlawful for any person to park or knowingly

permit any non-motorized vehicle or equipment, such as, but not limited to, campers, trailers, boats, or other recreational type equipment, on any residential street in the city.

(2) Such non-motorized vehicles or equipment may be removed by the Bartlett Police Department in accordance with the provisions of § 15-702 relating to the impounding of vehicles obstructing the streets. (as added by Ord. #08-01, Feb. 2008)

15-504. Improper parking. (1) It shall be deemed improper parking for a motorized or non-motorized vehicle to park:

- (a) Blocking a traffic lane;
- (b) Within eight (8) feet of a mailbox Monday through Saturday 7:00 A.M. until 5:00 P.M. except on federal holidays;
- (c) On a sidewalk or between the curb and adjacent sidewalk; provided, however; that a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of a pedestrian or other traffic;
- (d) More than twelve (12) inches from the curb;
- (e) In front of a public or private drive;
- (f) Within an intersection or twenty (20) feet of the curvature of an intersection;
- (g) Within a pedestrian crosswalk;
- (h) Within ten (10) feet of a fire hydrant;
- (i) Any place where a lawful sign prohibits parking;
- (j) Double parked;
- (k) Where the left side of the vehicle is to the curb, except on one-way streets where the city has not placed signs prohibiting the same;
- (l) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of such entrance when properly signposted;
- (m) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (n) Upon any bridge or other elevated structure upon a highway;
- (o) In a parking space clearly identified by an official sign as being reserved for the physically handicapped, unless, however, the person driving the vehicle is:
 - (i) Physically handicapped; or
 - (ii) Parking such vehicle for the benefit of a physically handicapped person.

A person parking in such a space shall display a certificate of identification or a disabled veteran's license plate issued under Tennessee Code Annotated, title 55, chapter 21.

(2) Improperly parked vehicles creating a safety hazard may be towed in accordance with § 15-602.

(3) Temporary exemptions and exclusions to this law may be made with the approval of the chief of police for special events or unusual circumstances.

(4) The fine for improper parking shall be twenty dollars (\$20.00) payable by mail or in person to the Bartlett City Court Clerk by using a provided envelope/ticket left on the vehicle. The registered owner of the vehicle will be deemed responsible for the violation. The matter can be placed on the court docket at the registered owner's request. The ticket must be paid within thirty (30) days of issuance or a late fee of fifteen dollars (\$15.00) will be assessed. (as added by Ord. #08-01, Feb. 2008)

15-505. Occupancy of more than one space. No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (as added by Ord. #08-01, Feb. 2008)

15-506. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the city as a loading and unloading zone. (as added by Ord. #08-01, Feb. 2008)

15-507. Presumption with respect to illegal parking. When any unoccupied vehicle is found parked in violation of any provision of this chapter, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking. (as added by Ord. #08-01, Feb. 2008)

CHAPTER 6

ENFORCEMENT¹

SECTION

- 15-601. Issuance of traffic citations.
- 15-602. Failure to obey citation.
- 15-603. Illegal parking.
- 15-604. Impoundment of vehicles.
- 15-605. Disposal of abandoned motor vehicles.
- 15-606. Deposit of driver's license in lieu of bail.
- 15-607. Impounding vehicles obstructing street permitted.
- 15-608. Violation and penalty.

15-601. Issuance of traffic citations. When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be a civil offense for any alleged violator to give false or misleading information as to his or her name or address. (as added by Ord. #08-01, Feb. 2008)

15-602. Failure to obey citation. It shall be unlawful for any person to violate his or her written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (as added by Ord. #08-01, Feb. 2008)

15-603. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within thirty (30) days during the hours and at a place specified in the citation. (as added by Ord. #08-01, Feb. 2008)

¹Municipal code reference
Police and arrest: title 6, chapter 1.

15-604. Impoundment of vehicles. Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic, or which has been parked for more than one (1) hour in excess of the time allowed for parking in any place, or which has been involved in two (2) or more violations of this title for which citation tags have been affixed to the vehicle and the vehicle not removed. Any impounded vehicle shall be stored until the owner or other person entitled thereto claims it, gives satisfactory evidence of ownership or right to possession, and pays all applicable fees and costs of impoundment and storage, or until it is otherwise lawfully disposed of. (as added by Ord. #08-01, Feb. 2008)

15-605. Deposit of driver's license in lieu of bail. (1) Deposit allowed. Whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issued to him by the Tennessee Department of Safety, or under the driver licensing laws of any other state or territory or the District of Columbia, is issued a citation or arrested and charged with a violation of any city ordinance or state statute regulating traffic, except those ordinances and statutes, the violation of which call for the mandatory revocation of an operator's or chauffeur's license for any period of time, such person shall have the option of depositing his or her chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his or her appearance in the city court of this city in answer to such charge before said court.

(2) Receipt to be issued. Whenever any person deposits his or her chauffeur's or operator's license as provided, either the officer or the court demanding bail as described above, shall issue the person a receipt for the license upon a form approved or provided by the department of safety, and thereafter the person shall be permitted to operate a motor vehicle upon the public highways of this state during the pendency of the case in which the license was deposited. The receipt shall be valid as a temporary driving permit for a period not less than the time necessary for an appropriate adjudication of the matter in the city court, and shall state such period of validity on its face.

(3) Failure to appear--disposition of license. In the event that any driver who has deposited his or her chauffeur's or operator's license in lieu of bail fails to appear in answer to the charges filed against him or her, the clerk or judge of the city court accepting the license shall forward the same to the Tennessee Department of Safety for disposition by said department in accordance with the provisions of Tennessee Code Annotated, § 55-50-801, et seq. (as added by Ord. #08-01, Feb. 2008)

15-606. Violation and penalty. Any violation of this chapter shall be a civil offense punishable by a civil penalty up to fifty dollars (\$50.00) and cost

Change 1, January 13, 2009

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for each separate offense, and a separate offense shall be deemed committed for each day of violation. (as added by Ord. #08-01, Feb. 2008)