

## **CHAPTER 11-2 OPERATION OF VEHICLES**

### **11-2-1 DRIVERS; RIGHT SIDE OF STREET**

All persons operating, using, or driving any vehicle or vehicles upon any of the streets of the City, shall keep to the right hand side of the center of the street, except as herein provided, and no vehicle shall be turned around on any street except in the square formed by the intersections thereof with another street.

*1926 RO. §94; 1960 RO. §9.0201; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-2 OVERTAKING**

The operator of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, but only when 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 made in safety and shall not cut in front of the overtaken vehicle until safely clear of same.

*1960 RO. §9.0202; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-3 FOLLOWING TOO CLOSELY**

The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

*1960 RO. §9.0203; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-4 VEHICLES; DRIVING ON SIDEWALKS**

The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

*1960 R.O. §9.0204; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-5 BRAKES; LIGHTS; HORNS**

Every motor vehicle operated or driven upon the public highways of this city shall be provided with adequate brakes in good working order sufficient to control such motor vehicle at all times when the is in use, and a suitable and adequate bell, horn or other device for signaling and shall, during the period of one-half hour after sunset and one-half hour before sunrise, display lighted lamps as required in Section 32-17-28 of the South Dakota Codified Laws.

*1960 RO. §9.0205; Authority: SDCL Ch. 9-31; Compare: SDCL Chs. 32-17, 32-18*

### **11-2-6 LICENSE PLATES**

No person shall operate or drive a motor vehicle within the City without having conspicuously displayed thereon number plate or plates as required by the statutes of the State of South Dakota securely fastened, and shall be kept free from mud, dirt or other obstruction so that said number plate or plates shall be clearly legible by other persons upon said highway.

*1960 RO. §9.0206; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-5*

### **11-2-7 DRIVER'S LICENSE REQUIRED**

No person shall drive or operate upon any of the streets or highways within the City any motor vehicle without first having secured and having in his possession a permit issued by the State of South Dakota under the provisions of state law.

*1960 RO. §9.0207; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-12*

### **11-2-8 RECKLESS DRIVING**

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

reckless driving.

*1926 R.O. §93; 1960 R.O. §9.0208; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-24*

### **11-2-9 TURNING MOVEMENTS; SIGNALING**

- (a) At any intersection where there is displayed an official traffic sign displaying the words "no U turn" it shall be unlawful for the operator of any vehicle to turn such vehicle at the intersection in a complete circle or so as to proceed in the opposite direction.
- (b) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway, 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. No person shall so turn any vehicle without giving an appropriate signal in the manner herein provided in the event any other traffic may be affected by such movements.
- (c) A signal of intention to turn right or left when required shall be given continuously during no less than the last 100 feet traveled by the vehicle before turning.
- (d) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

*1926 R.O. §97; 1960 R.O. §9.0210; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-10 SIGNALING; HAND; DEVICES**

Any stop or turn signal when required herein shall be given either by the hand or signal device, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then said signals must be given by such a lamp or lamps, or signal device.

*1926 R.O. §102; 1960 R.O. §9.0211; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-11 SIGNALING; METHODS**

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (a) Left turn - Hand and arm extended horizontally.
- (b) Right turn - Hand and arm extended upward.
- (c) Stop or decrease speed - Hand and arm extended downward.

*1926 R.O. §102; 1960 R.O. §9.0212; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-12 RIGHT-OF-WAY**

Subject to the exceptions stated in the next succeeding section, the right-of-way rule as between vehicles at intersections is hereby declared as follows:

- (a) The operator of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has fully entered the intersection.
- (b) When two vehicles approach an intersection at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- (c) The operator of any vehicle traveling at an unlawful speed shall forfeit any right-of-way

which may otherwise have hereunder.

*1960 RO. §9.0213; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-13 RIGHT-OF-WAY; EXCEPTIONS**

The operator of a vehicle entering a public street shall yield the right-of-way to authorized emergency vehicles when the latter are operated upon official business and the operators therefor sound audible signals by bell, siren, or exhaust whistle. This provision shall not relieve the operator of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the operator of any such vehicle from the consequences of an arbitrary exercise of such right-of-way.

*1960 RO. §9.0214; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-14 RACING PROHIBITED**

It shall be unlawful for the operator or driver of any vehicle to race with any other vehicle on said streets or thoroughfares of the City, or to engage in any contest of speed with any other vehicle, or the driver thereof, on said streets and thoroughfares.

*1960 RO. §9.0215; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-15 MUFFLERS**

No person shall drive a motor vehicle on the highway within the City unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. The use of Smitty or Hollywood mufflers or other devices of like character which make loud noises or explosions are hereby declared unlawful and it shall be unlawful to use a muffler cut-out on any motor vehicle.

*1926 PLO. §105; 1960 RO. §9.0216; Authority: SDCL Ch. 9-31; Compare: SDCL 32-15-17*

### **11-2-16 EMERGING FROM ALLEY; DRIVEWAY**

The operator of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway.

*1960 RO. §9.0217; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-17 STOP AT INTERSECTIONS**

The Chief of Police, with the approval of the Mayor, is hereby authorized to place and maintain at the intersection of any street or alley with any other street or alley where in his discretion traffic conditions justify such action, appropriate signs bearing the word "Stop". These signs shall be located in such a manner and be of such a size as to be clearly legible from a distance of one hundred feet along said street or alley intersecting such stop street and shall illuminate at night or be placed so as to be illuminated by street lights or the headlights of approaching motor vehicles and the operator of any other conveyance traversing such street upon which such "Stop" sign has a place within fifteen feet of the nearest line of the intersection of said streets or street and alley.

*1926 R.O. §100; 1960 RO. §9.0218; Authority- SDCL Ch. 9-31; Compare: SDCL Chs. 32-26; 32-29*

### **11-2-18 ONE-WAY STREETS**

The Police Department, with the approval of the City Council is hereby authorized to place and maintain or cause to be placed and maintained at and along streets and at the intersections affected thereby, appropriate signs to expedite enforcement of any one-way streets as deemed necessary.

*Ordinance 88, 8/2/65; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-26*

### **11-2-19 CARELESS DRIVING**

Any person who drives any vehicle carelessly and without due caution, at a speed or in a manner so as to endanger, or be likely to endanger, any person or property, not amounting to reckless driving as defined in §11-2-8 of this Code shall be guilty of Careless driving.

*1926 PLO. §93; Ordinance 99, 9/5/67; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-24*

### **11-2-20 EXHIBITION DRIVING**

Any person who drives a vehicle within the limits of the City in such a manner that creates or causes unnecessary engine noise, or tire squeals, skids or slides upon acceleration or stopping; or that simulates a temporary race, or that causes the vehicle to unnecessarily turn abruptly or away, shall be guilty of Exhibition Driving.

*Ordinance 100, 9/5/67; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-24*

### **11-2-22 BOARDING OR ALIGHTING FROM MOVING VEHICLE.**

No person shall board or alight from any vehicle while such vehicle is in motion.

*Authority: SDCL Ch. 9-31*

### **11-2-23 RIDING ON PORTION OF VEHICLE NOT INTENDED FOR PASSENGERS.**

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

*Authority: SDCL Ch. 9-31*

### **11-2-24 SNOWMOBILES**

- (a) The terms used in this Code shall, unless the context otherwise requires, be the same as those cited in SDCL 32-20A-1.
- (b) No snowmobiles shall be operated upon or across private property of another within the corporate limits of the City, South Dakota, without the express permission to do so by the owner or occupant of said property.
- (c) It shall be unlawful to operate a snowmobile in, upon, or across any City park, recreation area, playground, or public school ground within the corporate limits of the City, South Dakota, without the express permission to do so by the proper authority.
- (d) All snowmobiles operated on any street, avenue, alley, or other platted thoroughfare within the Corporate limits of the City, South Dakota shall be subject to the same traffic ordinances, rules, and regulations, as pertain to the operation of motor vehicles.
- (e) It shall be unlawful for any person to operate a snowmobile within the corporate limits of the City between the hours of 10:00 P.M. of any day and 6:00 A.M. of the following day, except as provided by subsections six and seven hereof.
- (f) In the event that a bona fide resident of the City is operating a snowmobile outside of the corporate limits of the City, or she may, at any hour of the day or night, return to his or her place of residence or his or her place of storage for said snowmobile by way of the most direct and closest route available. This subsection shall be construed as an exception to the restrictions delineated in subsection five above.
- (g) In the event of an emergency, permission may be granted by any law enforcement officer, the mayor, or city civil defense director for the operation of snowmobiles on any platted roadways within the corporate limits of the City at any time of the day or night, which

permission, when given, shall waive the restrictions delineated in subsection five above.  
*Ordinance 160, 10/3/77; Authority: SDCL Ch. 9-31; Compare: SDCL Ch. 32-20A*