

TITLE VII: TRAFFIC CODE

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§ 70.01 DEFINITIONS.

For the purpose of this title the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"BOULEVARD." Any legally designated street at which cross traffic is required to stop before entering or crossing such boulevard.

"BUSINESS DISTRICT." The territory contiguous to and including a highway if, within any 600 feet along such highway, there are buildings in use for business or industrial purposes which occupy 300 feet of frontage on one side or 300 feet collectively on both sides of the highway. (KRS 189.390(1))

"CROSSWALK." That part of a roadway at an intersection within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (KRS 189.010(2))

"CURB." The boundary of that portion of the street used for vehicles whether marked by curbstones or not.

"EMERGENCY VEHICLE." Any vehicle used for emergency purposes by:

- (1) The Department of Kentucky State Police;
- (2) A public police department;
- (3) The Department of Corrections;
- (4) A sheriff's office;
- (5) A rescue squad;
- (6) An emergency management agency if it is a publicly owned vehicle;
- (7) An ambulance service, mobile integrated healthcare program, or medical first response provider licensed by the Kentucky Board of Emergency Medical Services, for any vehicle used to respond to emergencies or to transport a patient with a critical medical condition;
- (8) Any vehicle commandeered by a police officer;
- (9) Any vehicle with the emergency lights required under KRS 189.920 used by a paid or volunteer fireman or paid or volunteer ambulance personnel, or a paid or local emergency management director while responding to an emergency or to a location where an emergency vehicle is on emergency call;
- (10) An elected coroner granted permission to equip a publicly or privately owned motor vehicle with lights and siren pursuant to KRS 189.920; or
- (11) A deputy coroner granted permission to equip a publicly or privately owned motor vehicle with lights and siren pursuant to KRS 189.920.
(KRS 189.910) ('78 Code, § 8-82)

"HIGHWAY." Any public road, street, avenue, alley, boulevard, bridge, viaduct, or trestle and the approaches to them and includes private residential roads and parking lots covered by an agreement under KRS 61.362, off-street parking facilities offered for public use, whether publicly or privately owned, except for-hire parking facilities listed in KRS 189.700. (KRS 189.010(3)) ('78 Code, § 8-1)

"INTERSECTION."

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, but do not necessarily continue, at approximately right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come into conflict; or

(2) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

(3) The junction of a private alley with a public street or highway shall not constitute an intersection.
(KRS 189.010(4))

"MOTOR TRUCK." Any motor-propelled vehicle designed for carrying freight or merchandise. It shall not include self-propelled vehicles designed primarily for passenger transportation, but equipped with frames, racks, or bodies having a load capacity of not exceeding 1,000 pounds. (KRS 189.010(6)) ('78 Code, § 8-1)

"MOTORCYCLE." Any motor-driven vehicle having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, but excluding tractors and vehicles on which the operator and passengers ride in an enclosed cab and excluding a moped as defined in KRS 189.285. (KRS 189.285) ('78 Code, § 8-1)

"NIGHTTIME." The period from one-half hour after sunset until one-half hour before sunrise, and at such other periods as atmospheric conditions render visibility as low as or lower than is ordinarily the case during that period; "DAYTIME" means at any other period.

"NONURBANIZED AREA." An area located outside of the federal-aid urban boundary designated for urbanized areas of 50,000 population or more as defined by the Bureau of Census.

"OFFICIAL TRAFFIC-CONTROL DEVICES." All signs, signals, warnings, directions, markings, and devices placed or erected or maintained by authority of the Chief of Police.

"ONE-WAY STREET." A street on which vehicles are permitted to move in one direction only.

"OPERATOR." The person in actual physical control of a vehicle. (KRS 189.010(7)) ('78 Code, § 8-1)

"PARK." When applied to vehicles, to leave a vehicle standing, whether occupied or not, for a period of time longer than is necessary to receive or discharge passengers or property.

"PEDESTRIAN." Any person afoot or in a wheelchair. (KRS 189.010(8))

"PLAY STREET." Any street or portion thereof so designated by the Chief of Police and reserved as a play area for children, from which all traffic is barred, except vehicles to and from abutting properties.

"POLICE DEPARTMENT." The Police Department or other persons or agency authorized to perform the duties of § 70.03 or any other acts necessary to implement and enforce this traffic code.

"PUBLIC SAFETY VEHICLE." Public utility repair vehicle; wreckers; state, county, or municipal service vehicles and equipment; highway equipment which performs work that requires stopping and standing or moving at slow speeds within the traveled portions of highways; and vehicles which are escorting wide-load or slow-moving trailers or trucks. (KRS 189.910) ('78 Code, § 8-82)

"PUBLIC WAY." The entire width between property lines of every way, dedicated passway, or street set aside for public travel, except bridle paths and foot paths.

"REFLECTANCE." The ratio of the amount of total light, expressed in a percentage, which is reflected outward by the product or material to the amount of total light falling on the product or material. (KRS 189.010(20))

"REVERSE TURN." To turn a vehicle on any street in such a manner as to proceed in the opposite direction.

"RESIDENTIAL DISTRICT." The territory contiguous to and including a highway not comprising a business district if the property on the highway for a distance of 300 feet or more is improved with residences or residences and buildings in use for business. (KRS 189.390(1))

"RIGHT-OF-WAY." The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other. (KRS 189.010(9))

"ROADWAY." That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term "ROADWAY" as used herein shall refer to any roadway separately but not to all such roadways collectively. (KRS 189.010(10))

"SAFETY ZONE." The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. (KRS 189.010(11))

"SEMITRAILER." A vehicle designed to be attached to, and having its front end supported by, a motor truck or truck tractor, intended for the carrying of freight or merchandise and having a load capacity of over 1,000 pounds. (KRS 189.010(12)) ('78 Code, § 8-1)

"SHARP CURVE." A curve of not less than 30 degrees. (KRS 189.010(14)) ('78 Code, § 8-1)

"SIDEWALK." That portion of the street between the curb and the property line intended for the use of pedestrians.

"STEEP GRADE." A grade exceeding 7%. (KRS 189.010(16)) ('78 Code, § 8-1)

"STOPPING." As applied to vehicles, to stop a vehicle longer than is actually necessary to receive or discharge passengers.

"STREET." Every public way, including alleys.

"SUNSCREENING MATERIAL." A product or material, including film, glazing, and perforated suncreening, which, when applied to the windshield or windows of a motor vehicle, reduces the effects of the sun with respect to light reflectance or transmittance. (KRS 189.010(21))

"TRAFFIC." Pedestrians, ridden or herded animals, vehicles, buses, and other conveyances, individually or collectively, while using any street for the purpose of travel.

"TRAILER." Any vehicle designed to be drawn by a motor truck or truck tractor, but supported wholly upon its own wheels, intended for the carriage of freight or merchandise, and having a load capacity of over 1,000 pounds. (KRS 189.010(17))

"TRANSMITTANCE." The ratio of the amount of total light, expressed in a percentage, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing. (KRS 189.010(22))

"TRUCK TRACTOR." Any motor-propelled vehicle designed to draw and to support the front end of a semitrailer. The semitrailer and the truck tractor shall be considered to be one unit. (KRS 189.010(13))

"UNOBSTRUCTED HIGHWAY." A straight, level, first-class road upon which no other vehicle is passing or attempting to pass, and upon which no other vehicle or pedestrian is approaching in the opposite direction, closer than 300 yards. (KRS 189.010(18))

"VEHICLE." All agencies for the transportation of persons or property over or upon the public highways of the city or state and all vehicles passing over or upon said highways. "MOTOR VEHICLE" includes all "VEHICLES" as defined herein, except: road rollers, road graders, farm tractors, vehicles on which power shovels are mounted, such other construction equipment customarily used only on the site of construction and which is not practical for the transportation of persons or property upon the highways, such vehicles as travel exclusively upon rails, such vehicles as are propelled by electric power obtained from overhead wires while being operated within the city or where said vehicles do not travel more than five miles beyond the city limits, vehicles propelled by muscular power, and electric low-speed scooters. (KRS 189.010(19)) ('78 Code, § 8-1)

"WINDOW." Any device designed for exterior viewing from a motor vehicle, except the windshield, any roof-mounted viewing device, and any viewing device having less than 150 square inches in area. (KRS 189.010(23))

"WRECKER." A motor vehicle on which a wrecking crane and other equipment suitable for motor vehicle wrecker service has been permanently mounted. (KRS 189.011) ('78 Code, § 8-1)

§ 70.02 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

(A) It shall be unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction given by a uniformed police officer, or to fail or refuse to comply with any of the traffic regulations of this traffic code.

(B) No operator of a vehicle, after having received a visual or audible signal from a traffic officer or marked police vehicle, shall knowingly flee or attempt to elude any traffic officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, the traffic officer, or other vehicles or pedestrians, nor shall he increase the speed of his vehicle or extinguish the lights of his vehicle in an attempt to elude or flee. (KRS 189.393) ('78 Code, § 8-6)

(C) The provisions of this traffic code shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county, or city, and it shall be unlawful for any such driver to violate any of the provisions of this traffic code, except as otherwise permitted in this traffic code or by state statute.

(D) Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application. Penalty, see § 70.99

Cross-reference:

Emergency vehicles exempt from traffic regulations, see § 70.06

§ 70.03 POWERS AND DUTIES OF POLICE DEPARTMENT.

It shall be the duty of the Police Department to direct all traffic in conformance with this traffic code and to enforce the traffic regulations as set forth in this traffic code, to make arrest for traffic violations, to investigate accidents, and to cooperate with other officers of the city in the administration of the traffic laws, and in developing ways and means to improve traffic conditions.

§ 70.04 AUTHORITY FOR ENFORCEMENT.

Authority to direct and enforce all traffic regulations of this city in accordance with the provisions of this traffic code and to make arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal. Penalty, see § 70.99

§ 70.05 TEMPORARY REGULATIONS.

When required for the convenience and safety of the public and to alleviate unusual traffic problems, the Chief of Police or other authorized city official shall, at his discretion, have authority to impose such traffic regulations as he may deem necessary for

temporary periods not to exceed two weeks. If these temporary regulations are necessary for a period longer than two weeks, the City Clerk/Treasurer shall be notified in writing of the extended order.

(Am. Ord. 91-07, passed 5-8-91)

§ 70.06 EMERGENCY VEHICLES EXEMPT FROM TRAFFIC REGULATIONS.

(A) Except as provided in KRS 189.920, the speed limitations set forth in state law and this code do not apply to emergency vehicles when responding to emergency calls or to police vehicles when in pursuit of an actual or suspected violator of the law or to ambulances when transporting a patient to medical care facilities and when the driver thereof is giving the warning required by divisions (E)(1) and (2) below. No portion of this section shall be construed to relieve the driver of the duty to operate the vehicle with due regard for the safety of all persons using the street or highway.

(B) The driver of an emergency vehicle, when responding to an emergency call or of a police vehicle in pursuit of an actual or suspected violator of the law or of an ambulance transporting a patient to a medical care facility and giving the warning required by division (E) below upon approaching any red light or stop signal or any stop sign shall slow down as necessary for safety to traffic, but may proceed past such red or stop light or stop sign with due regard for the safety of persons using the street or highway.

(C) The driver of an emergency vehicle, when responding to an emergency call or of a police vehicle in pursuit of an actual or suspected violator of the law or of an ambulance transporting a patient to a medical care facility and giving warning required by division (E) below may drive on the left side of any highway or on the opposite direction of a one-way street provided the normal lanes of traffic are blocked and he does so with due regard for the safety of all persons using the street or highway.

(D) The driver of an emergency or public safety vehicle may stop or park his vehicle upon any street or highway without regard to the provisions of KRS 189.390 and 189.450 or any city parking regulations set forth in this code, provided that, during the time the vehicle is parked at the scene of an emergency, at least one warning light is in operation at all times.

(E) The driver of an emergency vehicle desiring the use of any option granted by division (A), (B), or (C) above shall give warning in the following manner:

(1) By illuminating the vehicle's warning lights continuously during the period of the emergency; and

(2) By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless

(3) The vehicle is an ambulance and the driver is of the opinion that sounding of the siren, bell, or exhaust whistle would be detrimental to the victim's health. In the event the driver of an ambulance elects not to use the siren, bell, or exhaust whistle he shall not proceed past red lights or drive in the opposite direction on a one-way street or in oncoming lanes of traffic unless no other vehicles are within 500 feet of the front of the ambulance. The driver shall not extinguish the warning lights during the period of the emergency.

(F) No driver or operator of any emergency or public safety or other vehicle shall use the warning lights or siren, bell, or exhaust whistle of his vehicle for any purposes or under any circumstances other than those permitted by § 75.02 or KRS 189.910 through 189.950.

(G) KRS 189.910 through 189.950 and § 75.02 do not relieve the driver of any emergency or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

(KRS 189.940)('78 Code, § 8-84) Penalty, see § 70.99

§ 70.07 ADOPTION OF DRUG AND ALCOHOL TESTING POLICY.

The City of Carrollton has adopted the Commercial Vehicle Operator's Drug and Alcohol Testing Policy. It is effective as of January 1 1996.

(Ord. 95-20, passed 12-21-95)

TRAFFIC-CONTROL DEVICES

§ 70.15 SIGNAL LEGENDS.

Whenever traffic is regulated or controlled exclusively by a traffic-control sign or signs exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights for purposes of

traffic control, the following colors only shall be used, and these terms and lights shall indicate and be obeyed as follows:

(A) Green alone or "Go": Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

(B) Steady yellow alone or "Caution" when shown following the green or "Go" signal: Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. Vehicular traffic facing a steady yellow signal may enter and clear the intersection.

(C) Red alone or double red or "Stop": Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone.

(D) Flashing red alone: Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall not again proceed until it can do so without danger.

(E) Flashing amber alone: Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by such signal.

(F) "Yield Right-of-Way": Vehicular traffic facing the "Yield Right-of-Way" sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the sign shall yield the right-of-way to all vehicles and pedestrians within such primary intersecting or merging right-of-way. No vehicle facing a "Yield Right-of-Way" sign shall enter the merging or intersecting right-of-way at a speed in excess of 15 miles per hour, except that this speed limit shall not apply to vehicles entering an expressway.

(G) Lane lights: When lane lights are installed over any street for the purpose of controlling the direction of flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear. However, when flashing amber lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above such lanes, vehicles shall not move against them. If flashing amber lights show above a lane, that lane

shall be used only for passing and for left turns unless a sign at such place prohibits such turn.

Penalty, see § 70.99

Statutory reference:

Traffic-control signals, see KRS 189.338

§ 70.16 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

(A) The city shall establish and maintain all official traffic-control devices necessary within the city. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.

(B) The presence and existence of any traffic-control signs, signals, markings, or devices, including no parking lines and parking meters, which are in existence and in place as of the date of adoption of this code is hereby ratified and confirmed by the City Council, and all of same shall be deemed to have been authorized by the City Council. ('78 Code, §§ 8-11 and 8-14)

§ 70.17 OBEDIENCE TO SIGNALS.

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this traffic code or of a traffic barrier or sign erected by any of the public departments or public utilities of the city, or any electric signal, gate, or watchman at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for such barrier or sign must be approved by the city.

(B) Such sign, signal, marking, or barrier shall have the same authority as the personal direction of a police officer.
Penalty, see § 70.99

§ 70.18 INTERFERENCE WITH SIGNALS.

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

Penalty see § 70.99

§ 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) It shall be unlawful for any person to place, maintain, or display on 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 device or railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the

effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal bearing any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the city in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the city.

(B) No person shall install or maintain a red, yellow, green, or similarly colored flashing light within 100 feet of the right-of-way of any highway for any purpose other than safety, highway construction, or emergency purposes. (KRS 189.045)('78 Code, § 8-13)

(C) Every such prohibited sign, signal, or marking is declared to be a public nuisance and the city is empowered forthwith to remove it or cause it to be removed.
Penalty, see § 70.99

§ 70.20 DEVICE TO BE LEGIBLE AND IN PROPER POSITION.

No provision of this traffic code for which signs or any other traffic-control device is required shall be enforceable against an alleged violator if at the time and place of the alleged violation the required device was not in proper position and sufficiently legible to be seen by an ordinarily observant person.

§ 70.21 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.

In an emergency any police officer may at his discretion disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic.

§ 70.22 YIELD RIGHT-OF-WAY SIGNS.

When it is determined, upon the basis of an engineering and traffic investigation at an intersection, that vehicle stop signs are more restrictive than necessary for the safe and efficient control of that intersection's vehicular movements, yield right-of-way signs may be installed by the City Council on one or more of the intersection approaches for the purpose of assigning right-of-way. The driver of a vehicle, in obedience to a yield right-of-way sign shall yield right-of-way to vehicles not so obligated to yield or stop which are within the intersection or approaching so closely as to constitute an immediate hazard; but such driver, having so yielded, may proceed at such time as a safe interval occurs.

(KRS 189.335)('78 Code, § 8-12) Penalty, see § 70.99

VEHICLE LICENSE TAX

§ 70.35 LICENSE REQUIRED.

Unless exempted under § 70.36(C), it shall be unlawful for any person residing in the city to use or operate any motor vehicle within the limits of the city or for any person residing outside of the city to use or operate or cause to be used or operated any motor vehicle within the limits of the city in connection with a business conducted or regular employment or occupation followed within the limits of the city without first having obtained a license to use or operate the same and paid the license fee as provided in this subchapter.

('78 Code, § 8-115)(Ord., passed 3-7-56; Am. Ord., passed 12-10-80)

§ 70.36 APPLICATION; FEE; EXEMPTIONS.

(A) Each and every person owning or operating a motor vehicle in the city, except as set forth in division (C) of this section, shall immediately upon the acquisition thereof, make application to the City Clerk/Treasurer for a license therefor, and shall furnish to the City Clerk/Treasurer the name and address of the owner thereof, the name of the motor vehicle, the model, the capacity, and the number of the license so furnished the owner by the state. ('78 Code, § 8-116)

(B) Each person desiring the license required by division (A) shall pay to the city a license tax as follows:

(1) For each motorcycle, motor scooter, and motor bicycle, \$5.

(2) For each private passenger automobile, \$10.

(3) Unless exempted by division (C) of this section, for each motor truck, truck tractor, semitrailer, and trailer (as defined in § 70.01 and herein referred to as trucks and trailers) the amount of the license tax shall be determined by the declared gross weight (as defined in KRS 186.030) of each such truck and trailer as follows:

(a) Declared gross weight of 7,000 pounds or less, \$10.

(b) Declared gross weight of 18,000 pounds or less, but more than 7,000 pounds, \$15.

(c) Declared gross weight in excess of 18,000 pounds, \$20.

('78 Code, § 8-118)

(Ord., passed 3-7-56; Am. Ord., passed 4-1-70; Am. Ord., passed 12-10-80; Am. Ord. 91-07, passed 5-8-91)

(C) This subchapter shall not apply to any motor vehicle operating under a motor carrier certificate or permit issued pursuant to KRS Chapter 281, nor to any nonresident motor vehicle operated under a certificate or permit from a state with which the state of Kentucky has a reciprocity agreement pursuant to KRS 281.835. Penalty, see § 70.99

§ 70.37 TERM.

The license required by the provisions of this subchapter shall expire on May 15 of each year. Any person acquiring a motor vehicle after the fifteenth day of May shall pay the pro rata share of the license tax computed on a monthly basis, but in no event shall such license tax be for a less period of time than six months, and if such license is not procured within 30 days after acquiring the motor vehicle, there also shall be added to the license tax a penalty of 10% thereof. If a required license tax is not paid before the fifteenth day of May in each year, there shall be added thereto a penalty of 10% thereof. ('78 Code, § 8-117)(Ord., passed 3-7-56; Am. Ord., passed 12-10-80) Penalty, see § 70.99

§ 70.38 STICKER TO BE DISPLAYED; REPLACEMENT.

The license sticker required by this subchapter shall be in the form of a sticker which the licensee shall display upon the vehicle at all times. If the sticker is inadvertently lost or destroyed, a replacement sticker will be provided at a cost to the owner of \$1. ('78 Code, § 8-119)(Ord., passed 3-7-56; Am. Ord., passed 12-10-80) Penalty, see § 70.99

§ 70.39 TRANSFER.

It shall be unlawful for any person to transfer from one motor vehicle to another any license issued pursuant to the provisions of this subchapter, and whenever any motor vehicle for which a license has been issued changes ownership, such license shall remain on the motor vehicle and shall be a valid license for the same until the expiration of the year for which it was issued. ('78 Code, § 8-121)(Ord., passed 3-7-56; Am. Ord., passed 12-10-80) Penalty, see § 70.99

§ 70.40 EVIDENCE OF OWNERSHIP.

Possession of a state license or license tag shall be prima facie evidence of ownership and operation of any motor vehicle coming under the provisions of this subchapter. ('78 Code, § 8-120)(Ord., passed 3-7-56; Am. Ord., passed 12-10-80)

§ 70.99 GENERAL PENALTY.

(A) Whoever violates any provision of this traffic code where

no other penalty is specifically provided shall be fined not less than \$20 nor more than \$500 for each offense. (KRS 189.990(1))

(B) Whoever violates § 70.02(B) shall, for a first offense, be guilty of a misdemeanor and shall be subject to a fine of not less than \$35 nor more than \$500, imprisonment for not less than five days nor more than 90 days, or both. Upon a second and subsequent offenses, the penalty shall consist of a fine of not less than \$60 nor more than \$500, imprisonment for not less than ten days nor more than six months, or both. (KRS 189.990(19))

(C) Whoever violates § 70.06 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$1000, be imprisoned for not more than six months, or both. In the case of a private vehicle, all lighting and other equipment used in violation of KRS 189.910 to 189.950 or § 75.02 shall be confiscated and forfeited to the county in which the offense occurred.

(1) If a member of the Fire Department, ambulance service, or rescue squad violates any provisions of § 70.06(F), he shall, in addition to any other penalty provided herein, be immediately dismissed from his employment with the Fire Department, ambulance service, or rescue squad and shall be disqualified from being employed by or being a member of any fire department, ambulance service, or rescue squad in the state for a period of three years.

(2) Upon conviction of a second offense, he shall be permanently barred from employment or membership in any fire department, ambulance service, rescue squad, police department, or sheriff's office in the state, nor shall he be permitted to operate any public safety vehicle as defined in § 70.01.
(KRS 189.993(9),(10))

(D) Whoever violates § 70.19(B) shall be guilty of a misdemeanor and shall be fined not less than \$100 nor more than \$1000 for each offense. (KRS 189.993(1))

CHAPTER 71: TRAFFIC RULES

Section

Operation Generally

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OPERATION GENERALLY

§ 71.01 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in such manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

(C) Any intersection deemed by the city to be of special or critical importance to the movement of traffic shall be marked in a distinctive manner in order to indicate its importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he shall be deemed to have violated this division rather than division (B) above.

Penalty, see § 71.99

§ 71.02 REVERSE OR U TURNS.

The operator of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety without interfering with other traffic.

(KRS 189.330(8)) Penalty, see § 71.99

§ 71.03 BACKING VEHICLES.

It shall be unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in such manner as to proceed on the same side of the roadway in the lawful direction of travel.

Penalty, see § 71.99

§ 71.04 VEHICLES CROSSING SIDEWALKS.

(A) It shall be unlawful for the operator of any vehicle to drive within any sidewalk space except at a permanent or temporary driveway or by special permit from the Chief of Police or other authorized city official.

(B) It shall be unlawful for the operator of any vehicle to drive the vehicle out of any alley, driveway, building, or lot and across a sidewalk, or its extension across the alley, unless the vehicle has been brought to a complete stop immediately prior to crossing the sidewalk or its extension. On entering the roadway from the alley, driveway, or building the operator shall yield the

right-of-way to all vehicles approaching on the roadway. The operator of any vehicle intending to cross a sidewalk and turn into an alley from the roadway may do so at low speed and with caution. Penalty, see § 71.99

§ 71.05 COASTING.

(A) The driver of a motor vehicle when traveling upon a downgrade shall not coast with the gears of the vehicle in neutral.

(B) The driver of a commercial motor vehicle when traveling upon a downgrade shall not coast with the clutch disengaged. (KRS 189.430)('78 Code, § 8-7) Penalty, see § 71.99

§ 71.06 OPERATOR TO DRIVE CAREFULLY; OBSTRUCTION TO CONTROL.

(A) The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.

(B) No person shall willfully operate any vehicle on any highway in such a manner as to injure the highway. (KRS 189.290)('78 Code, § 8-25)

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

(D) No passenger in a vehicle or streetcar shall ride in such a position as to interfere with the operator's view ahead or to the sides, or to interfere with his control over the vehicle or streetcar. (KRS 189.470)('78 Code, § 8-102) Penalty, see § 71.99

§ 71.07 VEHICLE TO KEEP TO RIGHT.

(A) The operator of any vehicle when upon a highway shall travel upon the right side of the highway whenever possible, and unless the left side of the highway is clear of all other traffic or obstructions for a sufficient distance ahead to permit the overtaking and passing of another vehicle to be completed without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle being overtaken. The overtaking vehicle shall return to the proper traffic lane as soon as practical and, if the passing vehicle enters the oncoming traffic lane, before coming within 200 feet of any approaching vehicle.

(B) The operator of any vehicle moving slowly upon a highway shall keep his vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left, unless signage or markings indicate otherwise. (KRS 189.300)('78 Code, § 8-26) Penalty, see § 71.99

§ 71.08 TURNING AND RIGHT-OF-WAY AT INTERSECTIONS.

(A) When two vehicles approach or enter an intersection from different roadways 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.

(B) The right-of-way rule declared in division (A) is modified at highways and through intersections and as otherwise stated in this traffic code.

(C) Preferential right-of-way may be indicated by stop signs or yield signs. The city may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersections.

(D) Except when directed to proceed by a police officer, every operator of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the operator has view of approaching traffic on the intersecting roadway before entering it. After having stopped the operator shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such operator is moving across or within the intersection or junction of roadways.

(E) The operator of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the operator has a view of approaching traffic on the intersecting roadway before entering it. After slowing and stopping, the operator shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such operator is moving across or within the intersection or junction of roadways. Provided, however, that if such an operator is involved in a collision with a vehicle in the intersection or junction of roadways after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

(F) The operator of a vehicle intending to turn shall do so as follows:

(1) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) Left turns. The operator of a vehicle intending to turn left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle. Whenever practicable the left turn shall be made to the left of the center of the intersection and so as to leave the

intersection or other

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location in the extreme right-hand lane lawfully available to traffic moving in the same direction as such vehicle on the roadway being entered.

(G) The city may cause official traffic-control devices to be placed and thereby require and direct that a different course from that specified in this section be traveled by turning vehicles and when such devices are so placed no operator shall turn a vehicle other than as directed and required by such devices.

(H) The operator of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway 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.

(I) The operator of a vehicle about to enter or cross a roadway from any place other than another roadway shall yield the right-of-way to all vehicles approaching on the roadway to be entered or crossed.

(J) On highways with a center lane restricted for left turns off the highway by vehicles proceeding in both directions:

(1) A left turn shall not be made from any other lane and

(2) A vehicle shall not be driven in a center lane as described in this subsection except when preparing for or making a left turn off the highway or merging onto the highway after making a left turn from a side road or other entrance.

(KRS 189.330(1)-(7), (9), (10)) ('78 Code, § 8-27) Penalty, see § 71.99

§ 71.09 APPROACHING, TURNING AROUND ON CURVE OR GRADE.

(A) Every operator of a motor vehicle, or bicycle when approaching a curve or an obstruction that prevents a clear view of the highway for a distance ahead of 150 feet, shall hold the motor vehicle or bicycle under control and shall give warning by horn or other sound device of his approach. (KRS 189.410) ('78 Code, § 8-29)

(B) No vehicle shall be turned around upon any curve, or upon the approach to, or near the crest of a grade, unless it can be seen for a distance of 500 feet by the driver of any other vehicle approaching from either direction. (KRS 189.400) ('78 Code, § 8-28) Penalty, see § 71.99

§ 71.10 STARTING A PARKED VEHICLE.

No person shall start a vehicle that is stopped or parked unless and until the movement can be made with reasonable safety. (KRS 189.440) ('78 Code, § 8-30) Penalty, see § 71.99

§ 71.11 SPEED LIMITS.

(A) No operator of a vehicle upon a highway shall drive at a

greater speed than is reasonable and prudent, having regard for the traffic and for the condition and use of the highway.

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(1) Unless a different speed limit has been lawfully established by the city or the state, no vehicle shall be operated at a speed in excess of 25 miles per hour, with the following exceptions:

(a) The following streets maintain a speed limit of 20 miles per hour:

Main Street

First, Third, Court, Sixth and Seventh Streets between Highland Avenue and Main Street.

Second Street from Highland Avenue to the Ohio River, through and including Point Park.

Fourth and Fifth Streets from Highland Avenue to the Ohio River.

(b) The following streets shall maintain a speed limit of 35 miles per hour:

Gillock Avenue.

(2) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(3) In every charge for a violation of any speed limit specified in this section or established as herein authorized, the warrant or citation shall specify the speed at which the defendant is alleged to have driven, also the lawful speed limit applicable at the location where the violation is charged to have occurred.
(KRS 189.390) ('78 Code, § 8-31)

(4) The speed limit on all highways where school flasher lights are in operation shall be 25 miles per hour. Flasher lights shall be placed one-eighth of a mile on each side of the principal school building where practical. "HIGHWAYS" as used in this division shall mean any public road or street maintained by a city, county, or the state. (KRS 189.336) ('78 Code, § 8-32)

(B) Penalty. Whoever violates this section shall be subject to the same fine as set forth in the fine schedule of KRS 189.394. (Am. Ord. 97-11, passed 7-16-97; Am. Ord. 00-06, passed 5-10-00)

§ 71.12 PASSING VEHICLES.

(A) Two vehicles passing or about to pass each other in opposite directions shall have the right-of-way, and no other vehicle to the rear of those two vehicles shall pass or attempt to pass either of those vehicles.

(B) Vehicles proceeding from opposite directions shall pass each other from the right, each giving to the other one-half of the

highway as nearly as possible.

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(C) Every person operating a vehicle on a highway and approaching any animal being ridden or driven, shall exercise every reasonable precaution to prevent frightening the animal and to insure the safety of the person riding or driving it.

(KRS 189.310) ('78 Code, § 8-33) Penalty, see § 71.99

§ 71.13 OVERTAKING VEHICLES; TRAFFIC LANES; FOLLOWING VEHICLES.

(A) Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left of them and shall not again drive to the right until reasonably clear of those vehicles. Vehicles overtaking streetcars may pass either to the right or left when so directed by a police officer, when on a one-way street or where the location of the tracks prevents compliance with this section, with regard for other traffic.

(B) The operator of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

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

(2) Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.

(C) The operator of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movements in safety. Such movement shall not be made by driving off the roadway unless passing vehicle comes to a complete stop and such movement may be made safely.

(D) 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 the left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 200 feet of any vehicle approaching from the opposite direction.

(E) The City Council shall determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones, and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

(F) Whenever any roadway has been divided into three clearly marked lanes for travel the following additional rules shall apply:

(1) A vehicle shall be driven as nearly as may be practical entirely within a single lane and shall not be moved from that lane

until the driver has first ascertained that the movement can be made with safety;

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(2) A vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance, or in preparation for a left turn or where a center lane is at the time allocated exclusively to traffic moving in the direction in which the vehicle is proceeding and is signposted to give notice of the allocation;

(3) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and operators of vehicles shall obey the directions of such signs.

(G) A vehicle shall not be driven in the left lane of any limited access highway of four lanes or more with a posted speed limit of 65 miles per hour except in overtaking a slower vehicle, yielding to traffic coming onto such a highway, or when traffic conditions exist which would prohibit safe use of right or center lanes.

(H) (1) Except as provided in division (H)(3), the operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having regard for the speed of the vehicle and the traffic upon and condition of the highway.

(2) Except as provided in division (H)(3), the operator of any motor truck, semitrailer truck, bus, or heavy construction equipment unit, when traveling upon a highway outside of a business or residential district, shall not follow within 250 feet of another such vehicle or equipment unit. This division shall not prevent overtaking and passing, nor shall it apply to any lane specially designated for use of motor trucks or semitrailer trucks, buses or heavy construction equipment units.

(3) Divisions (1) and (2) of this section shall not apply to a trailing commercial motor vehicle involved in a platoon as defined in division (B), but shall apply to the commercial motor vehicle leading a platoon.

(KRS 189.340)('78 Code, § 8-34) Penalty, see § 71.99

§ 71.14 SIGNALS AND ASSISTANCE IN PASSING OR OVERTAKING.

(A) The operator of a vehicle about to be overtaken and passed shall give way to the right in favor of the overtaking vehicle, upon audible signal being given by the overtaking vehicle, if the overtaking vehicle is a motor vehicle or bicycle.

(B) In all cases of meeting, passing, or overtaking of vehicles such assistance shall be given by the operator and occupants of each vehicle, respectively, to the other as the circumstances reasonably demand, in order to obtain clearance and avoid accidents.

(KRS 189.350) ('78 Code, § 8-35) Penalty, see § 71.99

§ 71.15 PASSING STOPPED BUS.

(A) If any school or church bus used in the transportation of children is stopped upon a highway for the purpose of receiving or discharging passengers, with the stop arm and signal lights activated, the operator of a vehicle approaching from any direction shall bring his vehicle to a stop and shall not proceed until the bus has completed receiving or discharging passengers and has been put into motion. The stop requirement provided for in this section shall not apply to vehicles approaching a stopped bus from the opposite direction upon a highway of four or more lanes.

(B) Division (A) of this section shall be applicable only when the bus displays the markings and equipment required by state minimum specifications for school buses.

(C) If any vehicle is witnessed to be in violation of division (A) of this section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name the vehicle is registered or leased was the operator of the vehicle at the time of the alleged violation and is subject to the penalties as provided for in KRS 189.990(5).
(KRS 189.370) ('78 Code, § 8-36) Penalty, see § 71.99

§ 71.16 DUTY OF OPERATOR AT RAILROAD CROSSINGS.

(A) The operator of a vehicle shall stop and remain standing at a railroad grade crossing when any of the following conditions exist:

(1) A visible electric or mechanical signal device warns of the immediate approach of a railroad train or other on-track equipment; and

(2) A human flagman signals the approach or passage of a train or other on-track equipment.
(KRS 189.560(1)(a), (d))

(B) Whenever the tracks of any railroad or interurban railway over which regularly scheduled trains or cars are operated are designated as unsafe by the State Department of Highways, no operator of any vehicle shall cross the crossing without first bringing his vehicle to a full stop no closer than a marked stop line or 15 feet, nor more than 30 feet, from the nearest rail of the tracks.
(KRS 189.560(3)) ('78 Code, § 8-53)

(C) Operators of all buses and motor vehicles used for transporting children shall stop their vehicles before crossing any railroad when tracks are at the same level of the roadway. The stop shall be made not less than 15 feet nor more than 50 feet from the nearest track over which the highway crosses, except where the crossing is protected by gates or a flagman employed by the railroad. After making the stop, the operator shall open the service door and carefully look in each direction and listen for approaching trains or other on-track equipment

before proceeding. If visibility is impaired at the required distance for stopping under this section, the operator may allow the vehicle to slowly roll forward for the purpose of gaining the visibility necessary to safely cross the railroad tracks.

(KRS 189.550) ('78 Code, § 8-54) Penalty, see § 71.99

§ 71.17 DUTY OF OPERATOR ON APPROACH OF EMERGENCY VEHICLE.

(A) Upon the approach of an emergency vehicle equipped with, and operating, one or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of 500 feet to the front of such vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, 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 edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

(B) Upon the approach of any emergency vehicle, operated in conformity with the provisions of division (A) above, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(KRS 189.930(1), (2)) ('78 Code, § 8-83) Penalty, see § 71.99

§ 71.18 DUTY OF OPERATOR IN ACCIDENT; REPORT.

(A) It shall be the duty of the owner of, operator of, or passenger in any motor vehicle which is involved in an accident in which any person is injured or property damaged to stop immediately and ascertain the extent of the injury or damage and render such assistance as may be needed.

(B) The operator, owner, or passenger involved in an accident resulting in the injury or death of any person, or an accident in which property is damaged, shall immediately report the accident or property damage to the Police Department.
Penalty, see § 71.99

Statutory reference:

Duty in case of accident, see KRS 189.580

PROHIBITIONS

§ 71.25 OPERATOR OF VEHICLE TO DRIVE CAREFULLY.

(A) The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.

(B) No person shall willfully operate any vehicle on any highway in such a manner as to injure the highway.

(KRS 189.290) Penalty, see § 71.99

§ 71.26 RIGHT-OF-WAY OF EMERGENCY VEHICLES; FOLLOWING EMERGENCY VEHICLES; DRIVING OVER FIRE HOSE.

(A) Upon the approach of an emergency vehicle equipped with, and operating, one or more flashing, rotating, or oscillating red or blue lights visible under normal conditions from a distance of 500 feet to the front of such vehicle; or when the driver is giving audible signal by siren, exhaust whistle, or bell, 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 edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

(B) Upon the approach of any emergency vehicle operated in conformity with the provisions of division (A) above, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(C) No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of division (A) above closer than 500 feet, nor shall he drive into, park the vehicle into, or park the vehicle within the block where the vehicle has stopped in answer to an emergency call or alarm, unless he is directed otherwise by a police officer or firefighter.

(D) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over.

(E) Upon approaching a stationary emergency vehicle, when the emergency vehicle is giving a signal by displaying alternately flashing red, red and white, red and blue, or blue lights, a person who drives an approaching vehicle shall, while proceeding with due caution:

(1) Yield the right-of-way by moving to a lane not adjacent to that of the authorized emergency vehicle, if:

(a) The person is driving on a highway having at least four lanes with not fewer than two lanes proceeding in the same direction as the approaching vehicle; and

(b) If it is possible to make the lane change with due regard to safety and traffic conditions; or

(2) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if changing lanes would be impossible or unsafe.

(F) This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.
(KRS 189.930) Penalty, see § 71.99

§ 71.27 SMOKE EMISSION OR OTHER NUISANCE.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke, or other nuisance, to protect the rights of other traffic, and to promote the public safety.
(KRS 189.020) Penalty, see § 71.99

§ 71.28 TOWED VEHICLES.

No vehicle shall haul with a towline more than one other vehicle. The towline shall not be over 15 feet in length, and a

white cloth or flag shall be fastened to the towline at or near the center of the line, during both day and night so as to make it plainly discernible. No vehicle shall at one time haul more than two vehicles connected in such a manner as to keep them uniformly spaced. Any vehicle being towed under the provisions of this chapter shall have the brake lights required under KRS 189.050.

(KRS 189.480)('78 Code, § 8-8) Penalty, see § 71.99

§ 71.29 DRAGGING LOGS OR STONES ON HIGHWAYS.

No person shall draw upon a highway any logs or stones with the ends dragged on the ground, so as to injure the highway.

(KRS 189.500)('78 Code, § 8-9) Penalty, see § 71.99

§ 71.30 RACING.

(A) No person shall engage upon any street or highway in motor vehicle racing, drag racing, or any other form of competition involving motor vehicles.

(KRS 189.505)('78 Code, § 8-37)

(B) No person shall ride a horse, nor shall the owner of a horse consent to the racing of his horse, in a horse race on a highway.

(KRS 189.510)('78 Code, § 8-38) Penalty, see § 71.99

§ 71.31 OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICANTS.

(A) As prohibited by KRS 189.520, no person under the influence of intoxicating beverages or any substance which may impair one's driving ability shall operate a vehicle that is not a motor vehicle anywhere in the city. Further, as prohibited by KRS 189A.010, no person under the influence of intoxicating beverages or any substance which may impair one's driving ability shall operate a motor vehicle anywhere in the city.

(B) No police officer shall fail to enforce rigidly this section and KRS 189A.010 through 189A.090.

(C) In any criminal prosecution for a violation of division (A) above wherein the defendant is charged with having operated a vehicle while under the influence of intoxicating beverages, the amount of alcohol in the defendant's blood as determined at the time of making an analysis of his blood, urine, breath, or other bodily substance, shall give rise to the following presumptions:

(1) If there was 0.05% or less by weight of alcohol in such blood, it shall be presumed that the defendant was not under the influence of intoxicating beverages;

(2) If there was more than 0.05%, but less than 0.08% by weight of alcohol in such blood, such fact shall not constitute a presumption that the defendant either was or was not under the influence of intoxicating beverages, but such fact may be considered, together with other competent evidence, in determining the guilt or innocence of the defendant;

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(3) If there was 0.08% or more by weight of alcohol in such blood, it shall be presumed that the defendant was under the influence of intoxicating beverages.

(D) The provisions of division (C) above shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the defendant was under the influence of intoxicating beverages.

(E) No person may be compelled to submit to any test specified in division (C) above, but his refusal to submit to such test shall result in revocation of his license as provided in KRS 186.565(3).

(F) Only a physician, registered nurse, or qualified medical technician, duly licensed in Kentucky, acting at the request of the arresting officer can withdraw any blood of any person submitting to a chemical test under this section or KRS 186.565.

(G) The person tested shall be permitted to have a duly licensed physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer. (KRS 189.520)('78 Code, § 8-39)

Statutory reference:

Penalty provisions for violation of such provisions, see KRS Chapter 189A

PARADES

§ 71.40 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"PARADE." Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city.

"PARADE PERMIT." A permit required by this subchapter.

§ 71.41 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form, or start any parade unless a parade permit has been obtained from the Chief of Police or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions; or

(2) A governmental agency acting within the scope of its functions.

Penalty, see § 71.99

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§ 71.42 APPLICATION FOR PERMIT.

A person seeking issuance of a parade permit shall file an application with the Chief of Police or other authorized city official on forms provided by such officer.

(A) Filing period. The application for a parade permit shall be filed not less than five days or not more than 60 days before the date on which it is proposed to conduct the parade.

(B) The application for a parade permit shall set forth the following information:

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

(7) The hours when the parade will start and terminate;

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park, or other public place proposed to be traversed;

(9) The location by street of any assembly area for the parade;

(10) The time at which units of the parade will begin to assemble at any such assembly area or areas;

(11) The interval of space to be maintained between units of the parade;

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his behalf;

(13) Any additional information reasonably necessary to a fair determination as to whether a permit should issue.

(C) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by the City Council. Penalty, see § 71.99

§ 71.43 STANDARDS FOR ISSUANCE OF PERMIT.

The Chief of Police or other authorized city official shall issue a permit when, from a consideration of the application and from other information obtained, he finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

(C) The conduct of the parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;

(D) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the parade will not interfere with the movement of fire fighting equipment enroute to a fire;

(F) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute.
Penalty, see § 71.99

§ 71.44 NOTICE OF REJECTION OF PERMIT.

The Chief of Police or other authorized city official shall act on the application for a parade permit within three days, Saturdays, Sundays, and holidays excepted, after filing thereof. If he disapproves the application, he shall mail to the applicant within the three days, Saturdays, Sundays, and holidays excepted, after the date on which the application was filed, a notice of his action stating the reasons for his denial of the permit.

§ 71.45 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within
30

days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

§ 71.46 ALTERNATIVE PERMIT.

The Chief of Police or other authorized city official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

§ 71.47 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the following persons:

- (A) The Mayor;
- (B) The City Attorney;
- (C) The Fire Chief;

(D) The general manager or responsible head of each public utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

§ 71.48 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;
 - (B) Minimum speed;
 - (C) Maximum speed;
 - (D) Maximum interval of space to be maintained between the units of the parade;
 - (E) The portions of the street, sidewalk, park, or other public place to be traversed that may be occupied by the parade;
 - (F) The maximum length of the parade in miles or fractions thereof;
 - (G) Such other information as is reasonably necessary to the enforcement of this subchapter.
- Penalty, see § 71.99

§ 71.49 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The

parade

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chairman or other person heading or leading the activity shall carry the parade permit on his person during the conduct of the parade.
Penalty, see § 71.99

§ 71.50 PUBLIC CONDUCT DURING PARADES.

(A) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in a parade.

(B) Driving through parades. No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
Penalty, see § 71.99

Cross-reference:

Parking on parade routes, see § 72.07

§ 71.51 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

§ 71.99 PENALTY.

(A) Whoever violates any provision of this chapter where no other penalty is specifically provided shall be guilty of a violation and shall be fined not less than \$20 nor more than \$500 for each offense. (KRS 189.990(1))

(B) Whoever violates § 71.10 shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500 for each offense. (KRS 189.993(11))

(C) Whoever violates § 71.15 shall be guilty of a misdemeanor and shall be fined not more than \$500, or be imprisoned for not more than six months, or both. (KRS 189.990(5))

(D) Whoever violates § 71.16(B) shall be guilty of a misdemeanor and shall be fined not less than \$30 nor more than \$500 for each offense. Whoever violates § 71.16(C) shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500 for each offense. (KRS 189.990(10), (11))

(E) Whoever violates §§ 71.17 or 71.26 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned for not more than 30 days, or both. (KRS 189.993(7))

(F) Whoever violates § 71.29 shall be guilty of a misdemeanor and shall be fined not more than \$15 in excess of the cost to repair the road, for each offense. (KRS 189.990(6))

(G) Whoever violates § 71.30(A) shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned for not more than 30 days, or both, for each offense. Whoever violates § 71.30(B) shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$50 for each offense. (KRS 189.990(7))

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CHAPTER 72: PARKING REGULATIONS

Section

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- 72.02 Manner of parking
- 72.03 Limitations of stopping and parking
- 72.04 Restrictions and prohibitions on designated streets
- 72.05 Parking restricted to allow street cleaning
- 72.06 Parking in excess of certain number of hours prohibited;
towing authorized
- 72.07 Parking on parade route
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- 72.09 Owner responsibility
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- 72.20 Impoundment of vehicles authorized; redemption
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- 72.35 Announcement of snow emergency
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- 72.99 Penalty

Statutory reference:

Revenues from fees, fines, and forfeitures related to parking,
see KRS 65.120

PARKING GENERALLY

§ 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any street, alley, or sidewalk within the city either during the day or night.

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.
Penalty, see § 72.99

§ 72.02 MANNER OF PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand

side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

(B) No vehicle shall be parked or left standing on any street unless its two right wheels are within six inches of and parallel with the curb, except that on one-way streets where parking is permitted on the left side the two left wheels are to be within six inches of and parallel with the curb.

(C) No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading provided that such loading and unloading and delivery of property and material shall not consume more than 30 minutes. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway of moving vehicles or occupies road space within ten feet of the center line of the street.

(D) The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten feet of the center line of any street. Such diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

(E) It shall be unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.

(F) No person operating or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, nor allow it to stand upon any perceptible grade without effectively setting the brake and turning the front wheels to the curb or side of the highway. (KRS 189.430)

('78 Code, § 8-7)

Penalty, see § 72.99

§ 72.03 LIMITATIONS OF STOPPING AND PARKING.

(A) No person shall stop a vehicle, leave it standing or cause it to stop or to be left standing upon any portion of the roadway; provided, however, that this section shall not be construed to prevent parking in front of a private residence off the roadway or street where such parking is otherwise permitted, as long as the vehicle so parked does not impede the flow of traffic. This division (A) shall not apply to:

(1) A vehicle that has been disabled on the right-of-way

of a highway in such a manner and to such extent that it is impossible to avoid the occupation of the shoulder of the highway or impracticable to remove it from the shoulder of the highway until repairs have been made or sufficient help obtained for its removal. In no event shall a disabled vehicle remain on the shoulder of a highway for 24 hours or more;

(2) Motor vehicles when required to stop in obedience to the provisions of any section of state law or this traffic code, or a sign, or the command of any peace officer;

(3) Vehicles operating as common carriers of passengers for hire and school buses taking passengers on such vehicle or discharging passengers therefrom, provided that no such vehicle shall stop for such purposes at a place on the highway which does not afford reasonable visibility to approaching motor vehicles from both directions;

(4) Vehicles which are stopped for a period of not more than 15 minutes at a time for the purpose of collecting and transporting solid waste as defined in KRS 224.1-010(31)(a), and which are operated by a:

(a) Collection service registered in accordance with KRS 224.43-315; or

(b) Person or organization actively participating in the Adopt-a-Highway Program; or

(5) Any vehicle required to stop by reason of an obstruction to its progress.

(B) No vehicle shall be parked, stopped, or allowed to stand on the shoulders of any toll road, interstate highway, or other fully-controlled access highway, including ramps thereto, nor shall any vehicle registered at a gross weight of over 44,000 pounds be parked, stopped, or allowed to stand on the shoulders of any state-maintained highway except that, in the case of emergency, or in response to a peace officer's signal, vehicles shall be permitted to stop on the shoulders to the right of the traveled way with all wheels and projecting parts of the vehicles, including the load, completely clear of the traveled way. Parking of any vehicle which is disabled on the shoulders of a toll road, interstate highway, other fully-controlled access highway, including ramps thereto, or any state-maintained highway not mentioned in this section for 24 hours continuously is prohibited, and vehicles violating this division may be towed away at the cost of the owner.

(C) When any police officer finds a vehicle unattended upon any bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest garage or other place of safety as provided in § 72.21.

(D) No person shall stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the

directions of a police officer or traffic-control device, in the following places:

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- (1) On a sidewalk;
- (2) In front of sidewalk ramps provided for persons with disabilities;
- (3) In front of a public or private driveway;
- (4) Within an intersection or on a crosswalk;
- (5) At any place where official signs prohibit stopping or parking;
- (6) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
- (7) On a controlled access highway;
- (8) Within a highway tunnel;
- (9) Within 15 feet of a fire hydrant; or
- (10) In an area between the roadways of a divided highway.

(E) No person shall move a vehicle not lawfully under his control into any such prohibited area.

(F) The restrictions in division (D)(5) shall not apply to police officers when operating properly identified vehicles during performance of their official duties.

(KRS 189.450) ('78 Code, § 8-52) Penalty, see § 72.99

§ 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of division (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of division (F) below, in each block giving notice thereof, no person

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shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.

(F) (1) The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

(G) When signs are erected in compliance with division (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.
Penalty, see § 72.99

§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

Penalty, see § 72.99

§ 72.06 PARKING IN EXCESS OF CERTAIN NUMBER OF HOURS PROHIBITED; TOWING AUTHORIZED.

(A) It shall be unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city located between the Kentucky River and the east side of Seventh Street, and the Ohio River and the south side of Sycamore Street for a period of 72 hours or longer.

(B) Further it shall be unlawful for anyone to park in any one place any motor vehicle in an inoperative condition, unfit for further use, or incapable of immediately moving by its own power, on any of the public streets of the city not otherwise set forth herein. "Motor vehicle" shall be defined to include any style or type of motor driven vehicle used for the conveyance of persons or property. "Motor vehicle in an inoperative condition" shall be defined to include a motor vehicle which is unable to move under its own power due to defective or missing parts, which lacks parts or equipment necessary to make that vehicle readily operable, and/or that cannot be safely operated on the public roads and highways by virtue of defective, missing or improper parts or equipment and/or not properly registered or insured as required by state statutes.

(C) Any vehicle left parked in any one place on any of the public ways or streets of the city in violation of this section shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.
(Am. Ord. 07-27, passed 7-23-07) Penalty, see § 72.99

Cross-reference:

Removal of abandoned vehicles, see § 72.21 et seq.

§ 72.07 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.
Penalty, see § 72.99

Cross-reference:

Parades, see §§ 71.40 through 71.51

§ 72.08 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of such property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of division (A) of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of §§ 72.20 through 72.22.

(C) Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicle will

be removed at the owner's expense before exercising the authority granted in division (B).

Penalty, see § 72.99

Statutory reference:

Removal of vehicles by owners of private parking lots; signs, see KRS 189.725

§ 72.09 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

Penalty, see § 72.99

§ 72.10 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the city not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.

Penalty, see § 72.99

§ 72.11 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street.

Penalty, see § 72.99

§ 72.12 PARKING WITH HANDICAPPED PERMITS.

(A) Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the County Clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for two hours for no fee, or when parked where any parking limit is imposed may be parked for two hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than 30 minutes.

(B) This section shall not permit parking in a "no stopping" or "no parking" zone nor where parking is prohibited for the purpose of

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creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in

such a manner as to constitute a traffic hazard.

Penalty, see § 72.99

§ 72.13 PARKING REFRIGERATION TRAILER UNITS OR DIESEL TRUCKS.

(A) It shall be unlawful for any person to park or leave unattended within the city between the hours of 7:00 p.m. and 8:00 a.m., a refrigeration trailer unit or a diesel tractor while the motor of the refrigeration unit or diesel engine of the tractor is operating or will become operational automatically without the assistance of an operator.

(B) Each day the unit is found unattended shall constitute a distinct and separate violation of this section.

(Ord., passed 9-13-78)

IMPOUNDING

§ 72.20 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.

(C) All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle's release.

§ 72.21 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

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(B) If a vehicle described in division (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division(A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within ten business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and vehicle identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city. (KRS 376.275(1), (2))

§ 72.22 SALE OF VEHICLE.

(A) (1) Any person engaged in the business of storing or towing motor vehicles, who has substantially complied with the aforementioned requirements of this section, shall have a lien on the motor vehicle and its contents, except as set forth in division (B) of this section, for the reasonable or agreed charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle, as long as it remains in his possession.

(2) Prior to payment of fees and release of a vehicle, a towing or storage company shall not refuse the right of physical inspection of the towed vehicle by the owner or an insurance company representative. Release of the vehicle shall occur to the owner or insurance company representative upon payment and consent of the release from the owner or the owner's authorized representative. Each additional service shall be set forth individually as a single line item in the bill with an explanation and the exact charge for the service.

(3) If after a period of 45 days, the reasonable or agreed charges for towing, recovery, storage, transporting, and other applicable charges due on a motor vehicle and its contents have not been paid, the motor vehicle and its contents, except as set forth in division (B) of this section, may be sold to pay the charges after the owner has been notified by certified mail ten days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. A lien on a vehicle under this subsection shall be subject to prior recorded liens.

(4) A lien holder having a prior recorded lien listed on the title issued by the Commonwealth of Kentucky shall be notified by certified mail within the first 15 days of impoundment. The letter

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shall include the make, model, license number, vehicle identification number, owner's name and last known address, and tentative date of sale for the vehicle. If the above-referenced certified letter is not sent within the 15 days by the towing and storage company, then only 15 days of storage may be charged. The lien holder has the right to take possession of the motor vehicle after showing proof of lien still enforced, and paying the reasonable or agreed towing and storage charges on the motor vehicle. Nothing in this section shall allow the transfer of a vehicle subject to a lien, except as provided in KRS 186A.190.

(B) Division (A) of this section shall not apply to the following contents of a motor vehicle, which shall be released to the vehicle owner or the owner's designated agent upon request, if the request is made within 45 days of the date the vehicle was towed:

- (1) Prescription medication in its proper container;
- (2) Personal medical supplies and equipment or records;
- (3) Educational materials, including but not limited to calculators, books, papers, and school supplies;
- (4) Documents, files, electronic devices, or equipment which may be able to store personal information or information relating to a person's employment or business;
- (5) Firearms and ammunition. Notwithstanding the provisions of division (C) of this section, firearms and ammunition which are not claimed by the owner of the vehicle within 45 days of the date the vehicle was towed shall be transferred to the Department of Kentucky State Police for disposition as provided by KRS 16.220;
- (6) Cargo in the possession of persons engaged in transportation in interstate commerce as registered under KRS 186.020;
- (7) Cargo in the possession of an integrated intermodal small package carrier as defined by KRS 281.605(12);
- (8) Child restraint systems or child booster seats; and
- (9) Checks, checkbooks, debit or credit cards, money orders, stocks, or bonds.

(C) Except as provided for in division (B)(5) of this section, any contents exempted under division (B) of this section that are not claimed by the owner of the vehicle within 45 days of the date the vehicle was towed may be sold or otherwise legally disposed of by the storage or towing company.

(D) The storage or towing company shall not be responsible for contents in a vehicle's trunk or other locked compartment to which the storage or towing company is without access, unless the towing company intentionally opens the area without the owner's

consent.
(KRS 376.275(3)-(6))

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SNOW EMERGENCY

§ 72.35 ANNOUNCEMENT OF SNOW EMERGENCY.

Whenever the Chief of Police or other authorized city official finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that such parking be prohibited, he is authorized to announce such prohibition, to become effective at a time specified by him. After the effective time of such prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m.

that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following such fall. The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he announces the termination of the snow emergency, in part or in whole, after which the prohibition of parking authorized by this section shall no longer be in effect.
Penalty, see § 72.99

§ 72.36 TERMINATION OF EMERGENCY.

Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If such announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

§ 72.37 SNOW EMERGENCY ROUTES.

The term "SNOW EMERGENCY ROUTE" shall mean any route designated by the Chief of Police or other authorized city official. On such street or highway designated as a snow emergency route, special signs shall be posted to this effect.

§ 72.99 PENALTY.

Any person receiving a citation for any parking violation in the city shall be deemed to have committed a violation and shall be fined in an amount not less than \$20 nor more than \$100.
(KRS 189.990(1))

CHAPTER 73: BICYCLES AND MOTORCYCLES

Section

73.01	Operation of bicycles
73.02	Operation of motorcycles and motorscooters
73.03	Skating and coasting
73.04	Clinging to vehicles
73.99	Penalty

Cross-reference:

Required obedience to traffic directions, see § 70.02(C)

§ 73.01 OPERATION OF BICYCLES.

(A) No person shall operate a bicycle on the sidewalks of the city.

(B) No person shall operate a bicycle on any section of a public park, playground, play lot, or tot lot, except on a roadway or in a parking area.

(C) No operator of any bicycle shall carry another person on such bicycle.

Penalty, see § 73.99

Statutory reference:

Bicycles; safety regulations and standards, see KRS 189.287

§ 73.02 OPERATION OF MOTORCYCLES AND MOTORSCOOTERS.

(A) No person shall operate a motorcycle except when that person is in possession of a valid motor vehicle operator's license, with a valid motorcycle operator's license; unless that person uses an approved eye-protective device, in the manner prescribed by the state, at all times when the vehicle is in motion; and unless the motorcycle is equipped with a rearview mirror as required under KRS 189.30.

(B) No person shall operate or ride as a passenger on a motorcycle except on a seat permanently attached to that vehicle and specifically designed to carry the operator or passenger in a safe manner; except when using a footrest permanently attached to that vehicle and specifically designed to carry that person in a safe manner; and unless that person wears approved protective headgear, in the manner prescribed by the state, at all times when the vehicle is in motion.

(KRS 189.285)('78 Code, § 8-3)

(C) No operator of any motorcycle, motorscooter, or power-driven bicycle shall carry another person except on a seat attached thereto or in a side car attached to the vehicle.

(D) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any public park, except on a roadway or in a parking area.

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(E) No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any play lot or tot lot. Penalty, see § 73.99

Statutory reference:

Regulations for operating and riding on motorcycles, see KRS 189.285

§ 73.03 SKATING AND COASTING.

Except on streets which may be declared from time to time as "play streets" by the city and protected by barriers or official signs, it shall be unlawful for any person on skates or riding on a coaster sled or toy vehicle of any kind, to go on any roadway except at a crosswalk.

Penalty, see § 73.99

§ 73.04 CLINGING TO VEHICLES.

(A) No person while riding on a bicycle, coaster sled, roller skates, or any toy vehicle shall cling to any moving vehicle on any street, or fasten or attach the vehicle on which he is riding thereto.

(B) No person shall ride on the projection, running board, or fenders of any vehicle.

Penalty, see § 73.99

§ 73.99 PENALTY.

Whoever violates any provision of this chapter shall be deemed to have committed a violation and shall be fined not more than \$50 for each offense.

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Section

- 74.01 Pedestrians subject to traffic-control signals
- 74.02 Operator to yield right-of-way to pedestrians
- 74.03 Pedestrians not to create a hazard to vehicles
- 74.04 Pedestrians crossing at intersections
- 74.05 Pedestrians walking on sidewalks or roadways
- 74.06 Pedestrians on bridges, railroad crossings
- 74.07 Standing in roadway to solicit rides, employment, charitable contributions, or guarding vehicle
- 74.08 Duty on approach of emergency vehicle
- 74.09 Pedestrians under influence of alcohol or drugs
- 74.10 Blind or incapacitated pedestrians

§ 74.01 PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS.

(A) Pedestrians shall obey the instruction of any official traffic-control devices specifically applicable to them, unless otherwise directed by a police officer or other officially designated persons.

(B) Pedestrians shall be subject to traffic- and pedestrian-control signals as provided in §§ 70.15 through 70.22.

(C) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this traffic code.

(KRS 189.570(1) - (3))('78 Code, § 8-4(a)) Penalty, see § 70.99

§ 74.02 OPERATOR TO YIELD RIGHT-OF-WAY TO PEDESTRIANS.

(A) When traffic-control signals are not in place or in operation the operator of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) 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 operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(C) No vehicle shall at any time be driven through or within a safety zone.

(D) The operator of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk.

(KRS 189.570(4), (5), (7), (8))('78 Code, § 8-4(b), (c)) Penalty, see § 70.99

§ 74.03 PEDESTRIANS NOT TO CREATE A HAZARD TO VEHICLES.

No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(KRS 189.570(9)) Penalty, see § 70.99

§ 74.04 PEDESTRIANS CROSSING AT INTERSECTIONS.

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

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(C) Between adjacent intersections within the city limits at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(D) Notwithstanding other provisions of this section or the provisions of any other section of this traffic code, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing a child or an obviously confused or incapacitated person upon a roadway.
(KRS 189.570(6))('78 Code, § 8-4(d) - (g))

(E) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements. (KRS 189.570(10))

(F) Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (KRS 189.570(11))('78 Code, § 8-4(h))
Penalty, see § 70.99

§ 74.05 PEDESTRIANS WALKING ON SIDEWALKS OR ROADWAYS.

(A) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(C) Where neither a sidewalk nor a shoulder is available, any

pedestrian walking on or along a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way

roadway shall walk only on the left side of the roadway. ('78 Code, § 8-4(i))

(D) Except as otherwise provided, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

(KRS 189.570(12) - (15)) Penalty, see § 70.99

§ 74.06 PEDESTRIANS ON BRIDGES, RAILROAD CROSSINGS.

(A) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier, after a bridge operation signal indication has been given.

(B) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

(KRS 189.570(17), (18)) Penalty, see § 70.99

§ 74.07 STANDING IN ROADWAY TO SOLICIT RIDES, EMPLOYMENT, CHARITABLE CONTRIBUTIONS, OR GUARDING VEHICLE.

(A) No person shall stand in a roadway for the purpose of soliciting a ride. ('78 Code, § 8-4(j))

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

(C) No person shall stand on a highway for the purpose of soliciting contributions unless such soliciting is designated by the presence of a traffic-control device or warning signal or an emergency vehicle or public safety vehicle as defined in § 70.01 making use of the flashing, rotating, or oscillating red, blue, or yellow lights on such devices or vehicles.

(D) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(KRS 189.570(19) - (22)) Penalty, see § 70.99

§ 74.08 DUTY ON APPROACH OF EMERGENCY VEHICLE.

(A) Upon the immediate approach of an emergency vehicle equipped with, and operating, one or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of 500 feet to the front of such vehicle, and the operator of which is giving audible signal by siren, exhaust whistle, or bell, every pedestrian shall yield the right-of-way to the emergency vehicle.

(B) This section 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 highway nor from the duty to exercise due care to avoid colliding with any pedestrian.
(KRS 189.570(23), (24)) Penalty, see § 70.99

§ 74.09

PEDESTRIANS

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§ 74.09 PEDESTRIANS UNDER INFLUENCE OF ALCOHOL OR DRUGS.

A pedestrian who is under the influence of alcohol or any kind of drug to a degree which renders himself a hazard shall not walk or be upon a highway except on a sidewalk.
(KRS 189.570(16)) Penalty, see § 70.99

§ 74.10 BLIND OR INCAPACITATED PEDESTRIANS.

(A) The operator of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by an assistance dog. (KRS 189.575)

(B) It is unlawful for any person, unless totally or partially blind or otherwise incapacitated, while on any public street or highway, to carry in a raised or extended position a cane or walking stick which is white in color or white in color and tipped with red.

(C) Nothing contained in this section shall be construed to deprive any totally or partially blind or otherwise incapacitated person, not carrying such a cane or walking stick or not being guided by a dog, of the rights and privileges conferred by law upon pedestrians crossing streets or highways, nor shall the failure of such totally or partially blind or otherwise incapacitated person to carry a cane or walking stick, or to be guided by a guide dog upon the streets, highways, or sidewalks, be held to constitute nor be evidence of contributory negligence.
(`78 Code, § 8-5) Penalty, see § 70.99

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Section

75.01	Equipment not to be nuisance or menace
75.02	Prohibited equipment
75.03	Time when lights must be on
75.04	Horns and other sound devices
75.05	Mufflers and noise
75.06	Tires and wheels
75.99	Penalty

§ 75.01 EQUIPMENT NOT TO BE NUISANCE OR MENACE.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke, or other nuisance, to protect the rights of other traffic, and to promote the public safety. (KRS 189.020) ('78 Code, § 8-97) Penalty, see § 75.99

§ 75.02 PROHIBITED EQUIPMENT.

(A) No motor vehicle, except those defined as emergency vehicles under § 70.01, shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle, or bell. Any vehicle may be equipped with a theft alarm signal device which shall be so arranged that it cannot be used as an ordinary warning signal.

(B) No motor vehicle, except emergency vehicles as defined under § 70.01, shall be equipped with, nor shall any person use upon a vehicle any red or blue flashing, revolving, or oscillating light or place a red light on the front thereof. This division shall not apply to the use of red flashing lights on school buses or to stop lights or turn signals at the rear of any motor vehicle.

(C) No motor vehicle, except public safety vehicles as defined in § 70.01, shall be equipped with, nor shall any person use upon any vehicle any yellow flashing, revolving, or oscillating light. This division shall not apply to the use of yellow lights for turn signals; or to emergency flasher lights for use when warning the operators of other vehicles of the presence of vehicular traffic requiring the exercise of unusual care in approaching, overtaking, or passing; or to vehicles operated by mail carriers while on duty; funeral escort vehicles and church buses.

(D) Any person who is a regular or voluntary member of any fire department furnishing fire protection for any city or any person who is a regular or voluntary member of a rescue squad may equip his or her vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he or she has first been given permission, in writing, to do so by the chief of the appropriate fire department or rescue squad. He or she may use such lights and equipment only while proceeding to the scene of a fire or other emergency or to a location where another emergency vehicle is on emergency call in the performance of his or her official duties as a member of a fire department or rescue squad.

(E) Any person who is a paid or voluntary member of any ambulance service furnishing emergency medical services for any city may equip his vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he has first been given permission, in writing, to do so by the chief or director of the ambulance service. He may use such lights and equipment only while proceeding to the scene of an emergency, a medical facility, or to a location where another emergency vehicle is on emergency call in the performance of his official duties as a member of the ambulance service.

(KRS 189.950)(`78 Code, § 8-85) Penalty, see § 75.99

§ 75.03 TIME WHEN LIGHTS MUST BE ON.

(A) Headlamps, when required on a vehicle, shall be illuminated:

(1) During the period from one-half hour after sunset to one-half hour before sunrise; and

(2) At such other times as atmospheric conditions render visibility as low as or lower than is ordinarily the case during that period.

(B) Provisions as to distances that lights must be visible refer to visibility under ordinary atmospheric conditions.

(KRS 189.030)(`78 Code, § 8-98) Penalty, see § 75.99

§ 75.04 HORNS AND OTHER SOUND DEVICES.

Every motor vehicle, when in use on a highway shall be equipped with a horn or other device capable of making an abrupt sound sufficiently loud to be heard from a distance of at least 200 feet under all ordinary traffic conditions. Every person operating an automobile or bicycle shall sound the horn or sound device whenever necessary as a warning of the approach of such vehicle to pedestrians, or other vehicles, but shall not sound the horn or sound device unnecessarily. A bell may be used on a bicycle.

(KRS 189.080)(`78 Code, § 8-99) Penalty, see § 75.99

§ 75.05 MUFFLERS AND NOISE.

(A) Every motor vehicle with an internal-combustion, steam, or air motor shall be equipped with a suitable and efficient muffler. No person while on a highway shall operate a motor vehicle with the muffler cut out or removed. No cutout shall be so arranged or connected as to permit its operation or control by the driver of any motor vehicle while in position for driving.

(B) No person shall modify the exhaust system of a motor vehicle or an off-highway vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle. The original muffler shall comply with all of the noise requirements of KRS Chapter 224 and regulations promulgated pursuant thereto. No person shall operate a motor vehicle with an exhaust system so

modified.

(KRS 189.140)('78 Code, § 8-100) Penalty, see § 75.99

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§ 75.06 TIRES AND WHEELS.

(A) No person shall use on a highway not covered with ice, a vehicle with a chained wheel, unless the wheel rests upon an ice shoe at least six inches wide.

(B) When chains are used on rubber-tired vehicles, the cross chains shall be not more than 3/4 of an inch in thickness or diameter, and shall be spaced not more than ten inches apart, around the circumference of the tires.

(C) Any machinery, utensils, or implements used solely for agricultural, farming, or manufacturing purposes may be operated on the highways under present equipment except as is provided in division (D) below.

(D) No tractor, traction engine, hauling engine or other similar power vehicle having any projections on the face of the tires or rims of the wheels in contact with the pavement shall be operated on any highway, the top surface of which is either composed of or treated with bituminous materials or concrete except that the driving wheels may be fitted with flat lugs extending diagonally across the entire width of the tire or rim.

(1) Those lugs shall be not less than one inch in width at the bearing surface in contact with the pavement, but those lugs shall be so spaced that not less than two lugs on each driving wheel shall be in contact with the highway surface at all times.

(2) The front or nondriving wheels may be fitted with flat steering rings, if those rings are at least two inches in width and not more than 1-1/2 inches in height, but there shall be no bolt head, rivet heads, or other projections beyond the face of the tire or rim.

(3) The narrow angle iron lugs used for plowing or on soft ground shall not be permitted, nor shall any tractor or other vehicles of the caterpillar or track laying type having such projections on the faces of the shoes or treads of the track in contact with the roadway be permitted unless fitted with the flat lugs, in a way that will prevent any injury to the highway by either the narrow angle lugs or the projections on any tractor or other vehicle named in this section.

(E) No solid rubber or rubber compounded tire on any vehicle, other than a vehicle being actually used in the construction or maintenance of a highway, shall be less than one inch thick, measured from the steel flange of the rim. Any person violating this division (E) shall be civilly liable for any damage done to any highway. The city shall institute actions necessary to reimburse the city for the damage suffered.

(KRS 189.190)(`78 Code, § 8-101) Penalty, see § 75.99

§ 75.99 PENALTY.

(A) Whoever violates any provision of this chapter where no other penalty is specifically provided, shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500 for each offense. (KRS 189.990(1))

(B) Whoever violates § 75.02 shall be guilty of a misdemeanor and shall be fined not less than \$100 nor more than \$500, or be imprisoned for not more than 30 days, or both. In the case of a privately-owned vehicle, all lighting and other equipment used or installed in violation of KRS 189.910 through 189.950 or § 75.02 shall be confiscated and forfeited to the county in which the offense occurred. (KRS 189.993(11))

(C) Whoever violates § 75.06(A) shall be guilty of a violation and shall be fined not more than \$15. Whoever violates § 75.06(E) shall be guilty of a misdemeanor and shall be fined not less than \$35 nor more than \$500 for each offense. (KRS 189.990(3))

Schedule

I. Stop intersections

SCHEDULE I. STOP INTERSECTIONS.

Stop signs shall be installed in the following locations:

<u>Date</u>	<u>Street</u>	<u>Direction of At Intersection With</u>	<u>Traffic That Stops</u>	<u>Ord.</u>
	Seventh Street	Polk Street	North and south - -	
	Eighth Street	Polk Street	North and south - -	
Penalty, see § 70.99				

CHAPTER 77: PARKING SCHEDULES

Schedule

- I. Parking prohibited at certain times
- II. Reserved parking spaces

SCHEDULE I. PARKING PROHIBITED AT CERTAIN TIMES.

(A) No person shall park a vehicle between the hours of 2:00 a.m. and 6:00 a.m., prevailing time, on Monday of each week on the east and north sides of the following streets, and on Thursday of each week on the west and south sides of the following streets, at the following locations:

<u>Street</u>	<u>Location</u>	<u>Passage Ord. No.</u>	<u>Date</u>
Court Street	From Highland Avenue to Main Street	87-05	3-26-87
Highland Avenue	From 2nd Street to 6th Street	87-05	3-26-87
Main Street	From 3rd Street to 6th Street	87-05	3-26-87
4th Street	From Highland Avenue to Main Street	87-05	3-26-87
5th Street	From Highland Avenue to Main Street	87-05	3-26-87
6th Street	From Highland Avenue to Main Street	87-05	3-26-87

(B) Any vehicle found in violation of this section may be towed away at the expense of the owner as set forth in §§ 72.20 through 72.22.

(Ord., passed 87-05 3-26-87) Penalty, see § 72.99

PARKING SCHEDULES

SCHEDULE II. RESERVED PARKING SPACES.

Parking shall be reserved in the following locations as indicated:

<u>Street</u>	<u>Location</u>	<u>Reserved For</u>	<u>Ord. Date</u>
Main Street	One space in front of the existing White Top Taxi building	White Top Taxicab only; company shall pay \$15 per year for use of space	Res. 1-8-86

Penalty, see § 72.99

CHAPTER 78: GOLF CARTS AND UTILITY TERRAIN VEHICLES

Section

- 78.01 Authorization
- 78.02 Definitions
- 78.03 Authorized public streets
- 78.04 Conditions of operation of golf carts and utility terrain vehicles
- 78.05 Regulations for operation of golf carts and utility terrain vehicles

- 78.99 Penalty

§ 78.01 AUTHORIZATION.

The City Council of the City of Carrollton, in Carroll County, Kentucky, does hereby authorize and regulate the operation of golf carts and utility terrain vehicles (UTVs) on the public roadways specified herein that are under its jurisdiction.
(Ord. 2016-12, passed 6-27-16)

§ 78.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"GOLF CART." The golf carts authorized and regulated by this chapter are those as defined in KRS 189.286(1)(a).

"UTILITY TERRAIN VEHICLE (UTV)." The utility terrain vehicles authorized and regulated by this chapter shall mean any motor vehicle with four or more low-pressure tires designed for off-road highway use having bench or bucket seating for each occupant and a steering wheel for control.
(Ord. 2016-12, passed 6-27-16)

§ 78.03 AUTHORIZED PUBLIC STREETS.

The public roadways under the jurisdiction of the City of Carrollton upon which a golf cart and a utility terrain vehicle (UTV) may be operated are as follows:

1st Street	Hilltop Dr.	Short Meade St.
2nd Street	Polk St.	Tilley Dr.
3rd Street	Schuerman St.	Water St.
4th Street	Taylor St.	Barker Ave.
5th Street	Ware Ave.	Boylen Dr.

6th Street	Winslow St.	Clay St.
7th Street	South 4th St.	Harrison St.
8th Street	Butler St.	Kelly St.
9th Street	Court St.	Marwill Dr.
10th Street	Framme St.	Paradise Alley
Baker Dr.	Harley Dr.	Port William St.
Brock Dr.	Jordan Way Dr.	Seminary St.
Carroll Dr.	Main St.	Sycamore St.
Fisher Ave.	Meade St.	Village Ln.
Grobmyer Ave.	Port William Ln.	Webster St.
Hawkins St.	Rowland Ave.	Ayler Alley
Lauren Ave.	Cline Ct.	Quinn Ct.
Mason St.	Brad Dr.	Postal Alley
Deatherage Dr.	Pine Ct.	

(Ord. 2016-12, passed 6-27-16)

§ 78.04 CONDITIONS OF OPERATION OF GOLF CARTS AND UTILITY TERRAIN VEHICLES.

Any golf cart or utility terrain vehicle (UTV) operated on a designated public roadway pursuant to this chapter shall, prior to said operation:

(A) Be issued a permit for the golf cart by the City of Carrollton through the Carroll County Sheriff. Said permit shall be renewed annually in July of each year;

(B) Display a sticker or permit that identifies that the golf cart or utility terrain vehicle (UTV) is allowed to be operated on specific roadways within the City of Carrollton. The sticker or permit that identifies that the golf cart or utility terrain vehicle (UTV) is allowed to be operated on specified roadways in Carroll County shall operate as the sticker or permit required by the City of Carrollton; and

(C) Be inspected annually by a certified inspector designated by the Carroll County Sheriff and certified through the Department of Vehicle Regulation pursuant to KRS 189.286(3)(c). The Carroll County Sheriff shall be authorized to collect any fee for inspection that he otherwise would charge pursuant to KRS Chapter 189 for vehicle inspections. The Carroll County Sheriff's inspection shall be limited

to ensuring compliance with this chapter, the Ordinance of Carroll County and applicable provisions of the Kentucky Revised Statutes. The Carroll County Sheriff's inspection shall not constitute or warranty as to the mechanical fitness or safeness of said vehicle. (Ord. 2016-12, passed 6-27-16) Penalty, see § 78.99

§ 78.05 REGULATIONS FOR OPERATION OF GOLF CARTS AND UTILITY TERRAIN VEHICLES.

A person may operate a golf cart or utility terrain vehicle (UTV) on the specified public roadways in the City of Carrollton if the following conditions are complied with:

(A) The posted speed limit of the designated roadway is 25 miles per hour or less;

(B) The operator of the golf cart or utility terrain vehicle (UTV) does not cross the roadway at an intersection where the roadway being crossed has a posted speed limit of more than 35 miles per hour;

(C) The operator has a valid operator's license in his or her possession.

(D) The golf cart or utility terrain vehicle (UTV) shall only be operated between sunrise and sunset;

(E) The golf cart or utility terrain vehicle (UTV) shall display a slow moving vehicle emblem in compliance with KRS 189.820;

(F) Any utility terrain vehicle (UTV) shall be equipped with at least one headlight and two tail-lights;

(G) A golf cart or utility terrain vehicle (UTV) operating on a specified public roadway under this chapter shall be insured in compliance with KRS 304.39-080 by the owner operator, and the proof of insurance shall be inside the golf cart or utility terrain vehicle (UTV) at all times of operation on public roadway; and

(H) Any operator of a golf cart or utility terrain vehicle (UTV) shall comply with all other terms and provisions of KRS 189.286, other Kentucky statutes and motor-vehicle laws, and the ordinances of the City of Carrollton.

(Ord. 2016-12, passed 6-27-16) Penalty, see § 78.99

§ 78.99 PENALTY.

Whoever violates any provision of this chapter shall be subject to the penalties imposed in KRS Chapter 189. (Ord. 2016-12, passed 6-27-16)

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