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3-3A-1 DEFINITIONS. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway. “Vehicle” does not include:

- a. Any device moved by human power.
- b. Any device used exclusively upon stationary rails or tracks.
- c. Any integral part of a truck tractor or road tractor which is mounted on the frame of the truck tractor or road tractor immediately behind the cab and which may be used to transport persons and property but which cannot be drawn upon the highway by the truck tractor or another motor vehicle.
- d. Any steering axle, dolly, auxiliary axle or other integral part of another vehicle which in and of itself is incapable of commercially transporting any person or property but is used primarily to support another vehicle.

2. “Motor vehicle” means a vehicle which is self-propelled, but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires and are not operated upon rails.

a. “Used motor vehicle” or “second-hand motor vehicle” means a motor vehicle of a type subject to registration under the laws of this state which has been sold “at retail” as defined in chapter 322 and previously registered in this or any other state.

b. “New car” means a car which has not been sold “at retail” as defined in chapter 322.

c. “Used car” means a car which has been sold “at retail” as defined in chapter 322 and previously registered in this state or any other state.

d. “Car” or “automobile” means a motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles and motorized bicycles.

3. “Motorcycle” means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground including a motor scooter but excluding a tractor and a motorized bicycle.

a. “Motorized bicycle” or “motor bicycle” means a motor vehicle having a saddle or a seat for the use of a rider and designed to travel on not more than three wheels in contact with the ground, with an engine having a displacement no greater than fifty cubic centimeters and not capable of operating at a speed in excess of twenty-five miles per hour on level ground unassisted by human power.

4. “Motor truck” means every motor vehicle designed primarily for carrying livestock, merchandise, freight of any kind, or over nine persons as passengers.

5. “Light delivery truck,” “panel delivery truck” or “pickup” means any motor vehicle designed to carry merchandise or freight of any kind, not to exceed two thousand pounds.

6. “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

7. “Farm tractor” means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

8. “Road tractor” means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

9. “Trailer” means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

10. “Semitrailer” means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Wherever the word “trailer” is used in this chapter, same shall be construed to also include “semitrailer.” A “semitrailer” shall be considered in this chapter separate from its power unit.

11. “Trailer coach” means either a trailer or semitrailer designed for carrying persons.

12. "Specially constructed vehicle" means every vehicle of a type required to be registered hereunder not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

13. "Reconstructed vehicle" means every vehicle of a type required to be registered hereunder materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

14. "Essential parts" mean all integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.

15. "Foreign vehicle" means every vehicle of a type required to be registered hereunder brought into this state from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this state.

16. "Implement of husbandry" means every vehicle which is designed for agricultural purposes and exclusively used, except as herein otherwise provided by the owner thereof, in the conduct of the owner's agricultural operations. Implements of husbandry shall also include:

a. Portable livestock loading chutes without regard to whether such chutes are used by the owner in the conduct of the owner's agricultural operations, provided that such chutes are not used as a vehicle on the highway for the purpose of transporting property.

b. Any vehicle which is principally designed for agricultural purposes and which is moved during daylight hours by a person either:

(1) From a place at which the vehicles are manufactured, fabricated, repaired, or sold to a farm site or a retail seller or from a retail seller to a farm site;

(2) To a place at which the vehicles are manufactured, fabricated, repaired, or sold to a farm site or a retail seller or from a retail seller from a farm site; or

(3) From one farm site to another farm site. For the purpose of this subsection the term "farm site" means a place or location at which vehicles principally designed for agricultural purposes are used or intended to be used in agricultural operations or for the purpose of exhibiting, demonstrating, testing, or experimenting with the same, provided however, that said place or location shall not be deemed a "farm site" if the movement of said vehicle, from or to the place at which vehicles principally designed for agricultural purposes are manufactured, fabricated, repaired, or sold at retail, exceeds a distance of fifty miles.

c. Any semitrailer converted to a full trailer by the use of a dolly used by the owner in the conduct of the owner's agricultural operations to transport agricultural products being towed by a farm tractor provided the vehicle is operated in compliance with the following requirements:

(1) The towing unit is equipped with a braking device which can control the movement of and stop the vehicles. When the semitrailer is being towed at a speed of twenty miles per hour, the braking device shall be adequate to stop the vehicles within fifty feet from the point the brakes are applied. The semitrailer shall be equipped with brakes upon all wheels.

(2) The towing vehicle shall be equipped with a rear view mirror to permit the operator a view of the highway for a distance of at least two hundred feet to the rear.

(3) The semitrailer shall be equipped with a turn signal device which operates in conjunction with or separately from the rear taillight and shall be plainly visible from a distance of one hundred feet.

(4) The semitrailer shall be equipped with two flashing amber lights, one on each side of the rear of the vehicle, and be plainly visible for a distance of five hundred feet in normal sunlight or at night.

(5) The semitrailer shall be operated in compliance with sections 321.123 and 321.463.

Notwithstanding the other provisions of this subsection any vehicle covered thereby if it otherwise qualifies may be registered as special mobile equipment, or operated or moved under the provisions of sections 321.57 to 321.63, if the person in whose name such vehicle is to be registered or to whom a special plate or plates are to be issued elects to do so and under such circumstances the provisions of this subsection shall not be applicable to such vehicle, nor shall such vehicle be required to comply with the provisions of sections 321.384 to 321.429, when such vehicle is moved during daylight hours, provided however, the provisions of section 321.383 shall remain applicable to such vehicle.

All self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary off-road usage, and used exclusively for the application of plant food materials, agricultural limestone or agricultural chemicals, and not specifically designed or intended for transportation of agricultural limestone and such chemicals and materials. Such machinery shall be operated in compliance with section 321-463.

17. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including trailers and bulk spreaders which are not self-propelled having a gross weight of not more than twelve tons used for the transportation of fertilizers and chemicals used for farm crop production, and other equipment used primarily for the application of fertilizers and chemicals in farm fields or for farm storage, but not including trucks mounted with applicators of such products, road construction or maintenance machinery and ditch-digging apparatus. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this subsection; provided that nothing contained in this section shall be construed to include portable mills or cornshellers mounted upon a motor vehicle or semitrailer.

18. "Pneumatic tire" means every tire in which compressed air is designed to support the load.

19. "Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

20. "Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

21. "Where a vehicle is kept" shall refer to the county of residence of the owner or to the county where the vehicle is mainly kept if said owner is a nonresident of the state.

22. "Garage" means every place of business where motor vehicles are received for housing, storage, or repair for compensation.

23. "Combination" or "Combination of vehicles" shall be construed to mean a group consisting of two or more motor vehicles, or a group consisting of a motor vehicle and one or more trailers, semitrailers or vehicles, which are coupled or fastened together for the purpose of being moved on the highways as a unit.

24. "Gross weight" shall mean the empty weight of a vehicle plus the maximum load to be carried thereon. The maximum load to be carried by a passenger-carrying vehicle shall be determined by multiplying one hundred fifty pounds by the number of passenger seats carried by such vehicle.

24A. "Unladen weight" means the weight of a vehicle or vehicle combination without load.

25. "Combined gross weight" shall mean the gross weight of a motor vehicle plus the gross weight of a trailer or semitrailer to be drawn thereby.

26. "Authorized emergency vehicle" means vehicles of the fire department, police vehicles, ambulances and emergency vehicles owned by the United States, this state or any subdivision of this state or any municipality therein, and such privately owned ambulances, rescue or disaster vehicles as are designated or authorized by the director of transportation.

27. "School bus" means every vehicle operated for the transportation of children to or from school, except vehicles which are:

- a. Privately owned and not operated for compensation,
- b. Used exclusively in the transportation of the children in the immediate family of the driver,
- c. Operated by a municipally or privately-owned urban transit company for the transportation of children as part of or in addition to their regularly scheduled service, or

d. Designed to carry not more than nine persons as passengers, either school owned or privately owned, which are used to transport pupils to activity events in which the pupils are participants or used to transport pupils to their homes in case of illness or other emergency situations. The vehicles operated under the provisions of paragraph "D" of this section shall be operated by employees of the school district who are specifically approved by the local superintendent of schools for the assignment.

28. "Railroad" means a carrier of persons or property upon cars operated upon stationary rails.

29. "Railroad train" means an engine or locomotive with or without cars coupled thereto, operated upon rails.

30. "Railroad corporation" means any corporation organized under the laws of this state or any other state for the purpose of operating the railroad within this state.

31. "Explosives" mean any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that on ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

32. "Flammable liquid" means any liquid which has a flash point of 70 degrees F. or less, as determined by a Tagliabue or equivalent closed cup test device.

33. "Department" means the State Department of Transportation. "Commission" means the State Transportation Commission.

34. "Director" means the Director of the State Department of Transportation or the Director's designee.

35. "Person" means every natural person, firm, co-partnership, association, or corporation. Where the term "person" is used in connection with the registration of a motor vehicle, it shall include any corporation, association, co-partnership, company, firm, or other aggregation of individuals which owns or controls such motor vehicle as actual owner, or for the purpose of sale or for renting, whether as agent, salesman, or otherwise.

36. "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of a security agreement with an immediate right of possession vested in the debtor, then such debtor shall be deemed the owner for the purpose of this chapter.

37. "Nonresident" means every person who is not a resident of this state.

38. "Dealer" means every person engaged in the business of buying, selling or exchanging vehicles of a type required to be registered hereunder and who has an established place of business for such purpose in this state.

39. "Transporter" means every person engaged in the business of delivering vehicles of a type required to be registered hereunder from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

40. "Manufacturer" means every person engaged in the business of fabricating or assembling vehicles of a type required to be registered. It does not include a person who converts, modifies or alters a completed motor vehicle manufactured by another person. It includes a person who uses a completed motor vehicle manufactured by another person to construct a class "B" motor home as defined in section 321.124.

40A. "Completed motor vehicle" means a motor vehicle which does not require any additional manufacturing operations to perform its intended function except the addition of readily attachable equipment, components or minor finishing operations.

41. "Established place of business" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where the dealer's or manufacturer's books and records are kept and a large share of the dealer's or manufacturer's business is transacted.

42. "Operator" means every person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a highway.

43. "Chauffeur" means any person who operates a motor vehicle, including a school bus, in the transportation of persons for wages, compensation or hire, or any person who operates, a truck tractor, road tractor or any motor truck which is required to be registered at a gross weight classification exceeding five tons, or any such motor vehicle exempt from registration which would be within the gross weight classification if not so exempt except when the operation by the owner or operator is occasional and merely incidental to the owner or operator's principal business, is by a volunteer fire fighter operating fire apparatus, or is by a volunteer ambulance or rescue squad attendant operating ambulance or rescue squad apparatus. If a volunteer fire fighter or ambulance or rescue squad operator receives nominal compensation not based upon the value of the services performed, the fire fighter or operator shall be considered to be receiving no compensation and classified as a volunteer.

Subject to the provisions of section 321.179, a farmer or the farmer's hired help shall not be deemed a chauffeur, when operating a truck owned by the farmer, and used exclusively in connection with the transportation of the farmer's own products or property.

44. "Driver" means every person who drives or is in actual physical control of a vehicle.

45. "Peace officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations in addition to its meaning in section 801.4.

46. "Local authorities" mean every county, municipal, and other local board or body having authority to adopt local Police regulations under the Constitution and laws of this State.

47. "Pedestrian" means any person afoot.

48. "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

49. "Private road" or "driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

50. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

51. "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

52. "Laned highway" means a highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic.

53. "Through (or thru) highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter or such entrances are controlled by a peace officer or traffic-control signal. The term "arterial" is synonymous with "through" or "thru" when applied to highways of this State.

54. "Intersection" means 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 at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

55. "Crosswalk" means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections. or, any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

56. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

57. "Business district" means the territory contiguous to and including a highway when fifty percent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business.

58. "Residence district" means the territory within a city contiguous to and including a highway, not comprising a business, suburban or school district, where forty percent or more of the frontage on such highway for a distance of three hundred feet or more is occupied by dwellings or by dwellings and buildings in use for business.

59. "School district" means the territory contiguous to and including a highway for a distance of two hundred feet in either direction from a schoolhouse in a city.

60. "Suburban district" means all other parts of a city not included in the business, school or residence districts.

61. The linear measure of the plot of ground upon which the building is located abutting upon the highway shall be deemed "frontage occupied by the building," and the phrase "frontage on such highway for a distance of three hundred feet or more" shall mean the total frontage on both sides of the highway for such distance.

62. "Official traffic-control devices" mean all signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

63. "Official traffic-control signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

64. "Railroad sign" or "signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

65. "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel.

66. "Right of way" means the privilege of the immediate use of the highway.

67. "Alley" means a thoroughfare laid out, established and platted as such, by constituted authority.

68A. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons.

68B. "Travel trailer" means a vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. Said vehicle may be up to eight feet in width and its overall length shall not exceed forty feet. Such vehicle shall be customarily or ordinarily used for vacation or recreational purposes and not used as a place of permanent habitation. If any such vehicle is used in this state as a place of

human habitation for more than ninety consecutive days in one location it shall be classed as a mobile home regardless of the size limitations herein provided.

68C. "Fifth-wheel travel trailer" means a type of travel trailer which is towed by a pickup by a connecting device known as a fifth wheel. However, this type of travel trailer may have an overall length which shall not exceed forty feet.

68D. "Motor home" means a motor vehicle designed as an integral unit to be used as a conveyance upon the public streets and highways and for use as a temporary or recreational dwelling and having at least four, two of which shall be systems specified in subparagraphs (1), (4) or (5) of this paragraph, of the following permanently installed systems which meet American national standards institute and national fire protection association standards in effect on the date of manufacture:

(1) Cooking facilities.

(2) Ice box or mechanical refrigerator.

(3) Potable water supply including plumbing and a sink with faucet either self-contained or with connections for an external source, or both.

(4) Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.

(5) Heating or air conditioning system or both, separate from the vehicle engine or the vehicle engine electrical system.

(6) A one hundred ten - one hundred fifteen volt alternating current electrical system separate from the vehicle engine electrical system either with its own power supply or with a connection for an external source, or both, or a liquefied petroleum system and supply.

69. "Tandem axle" means any two or more consecutive axles whose centers are more than forty inches but not more than eighty-four inches apart.

70. "Guaranteed arrest bond certificate" means any printed, unexpired certificate issued by an automobile club or association to any of its members, or any printed, unexpired certificate issued by an insurance company authorized to write automobile liability insurance within this state, which said certificate is signed by such member or insured and contains a printed statement that such automobile club, association or insurance company and a surety company which is doing business in this state under the provisions of section 515.48, subsection 2, guarantee the appearance of the person whose signature appears on the certificate and that they will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person in an amount not to exceed two hundred dollars. If such insurance company is itself qualified under the provisions of section 515.48, subsection 2, then it maybe its own surety. Bail in this form shall be subject to the forfeiture and enforcement provisions with respect to bail bonds in criminal cases as provided by law.

71. A “special truck” means a motor truck not used for hire with a gross weight registration of six through twenty tons used by a person engaged in farming to transport commodities produced only by the owner, or to transport commodities purchased by the owner for use in the owner's own farming operation or occasional use for charitable purposes. “Special truck” also means a truck tractor which is modified by removal of a fifth wheel and carries the full load on the motor truck and which by reason of its conversion becomes a motor truck.

72. “Component part” means any part of a vehicle, other than a tire, having a component part number.

73. “Component part number” means the vehicle identification derivative consisting of numerical and alphabetical designations affixed to a component part by the manufacturer or the department or affixed by, or caused to be affixed by, the owner pursuant to rules promulgated by the department as a means of identifying the component part.

74. “Vehicle identification number” or the initials VIN mean the numerical and alphabetical designations affixed to a vehicle or a component part of a vehicle by the manufacturer or the department or affixed by, or caused to be affixed by, the owner pursuant to rules promulgated by the department as a means of identifying the vehicle.

75. “Demolisher” means any agency or person whose business is to convert a vehicle to junk, processed scrap or scrap metal, or otherwise to wreck or dismantle vehicles.

76. “Multipurpose vehicle” means a motor vehicle designed to carry not more than ten people, and constructed either on a truck chassis or with special features for occasional off-road operation.

77. “Motor vehicle license” means any license or permit issued to a person to operate a motor vehicle on the highways of this state, including but not limited to operator, chauffeur, and motorized bicycle licenses and instruction and temporary permits.

78. “Vehicle rebuilder” means a person engaged in the business of rebuilding or restoring to operating condition vehicles subject to registration under this chapter, which have been damaged or wrecked.

79. “Used vehicle parts dealer” means a person engaged in the business of selling bodies, parts of bodies, frames or component parts of used vehicles subject to registration under this chapter.

80. “Vehicle salvager” means a person engaged in the business of scrapping vehicles, dismantling or storing wrecked or damaged vehicles or selling reusable parts of vehicles or storing vehicles not currently registered which vehicles are subject to registration under this chapter.

81. “Ambulance” means a motor vehicle which is equipped with life support systems and used to transport sick and injured persons who require emergency medical care to medical facilities.

82. "Registration year" means the period of twelve consecutive months beginning on the first day of the month following the month of the birth of the owner of the vehicle for vehicles registered by the County Treasurer and the calendar year for vehicles registered by the department of motor trucks and truck tractors with a combined gross weight exceeding five tons which are registered by the County Treasurer.

83. "Remanufactured vehicle" means every vehicle of a type required to be registered and having a gross vehicle weight rating of at least thirty thousand pounds that has been disassembled, resulting in the total separation of the major integral parts and which has been reassembled with those parts being replaced with new or rebuilt parts. In every instance, a new diesel engine and all new tires shall be installed and shall carry manufacturers' warranties.

Every vehicle shall include but not be limited to, new or rebuilt component parts consisting of steering gear, clutch, transmission, differential, engine radiator, engine fan hub, engine starter, alternator, air compressor and cab. For purposes of this subsection, "rebuilt" means the replacement of any element of a component part which appears to limit the serviceability of the part. A minimum of twenty thousand dollars shall be expended on each vehicle and the expense must be verifiable by invoices, work orders, or other documentation as required by the department.

The department may establish equipment requirements and a vehicle inspection procedure for remanufactured vehicles. The department may establish a fee for the inspection of remanufactured vehicles not to exceed one hundred dollars for each vehicle inspected.

84. "Alcohol concentration" means the number of grams of alcohol per any of the following:
- a. One hundred milliliters of blood.
 - b. Two hundred ten liters of breath.
 - c. Sixty-seven milliliters of urine.

85. "Alcoholic beverage" includes alcohol, wine, spirits, beer, or any other beverage which contains ethyl alcohol and is fit for human consumption.

86. "All terrain vehicle" means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road use but not including farm tractors, construction equipment, forestry vehicles or lawn and grounds maintenance vehicles.

ORIGINAL AND RENEWAL OF REGISTRATION AND CERTIFICATE OF TITLE

3-3A-17 MISDEMEANOR TO VIOLATE REGISTRATION PROVISIONS.

It is a misdemeanor punishable as provided in section 321.482, for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered hereunder which is not registered, or for which the appropriate fee has not been paid when and as required hereunder.

3-3A-18 VEHICLES SUBJECT TO REGISTRATION - EXCEPTION.

Every motor vehicle, trailer, and semitrailer when driven or moved upon a highway shall be subject to the registration provisions of this chapter except:

1. Any such vehicle driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers, or nonresidents, as contemplated by section 321.53 and chapter 326, or under a temporary registration permit issued by the department as hereinafter authorized.

2. Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another.

3. Any implement of husbandry.

4. Any special mobile equipment as herein defined.

5. Any vehicle which is used exclusively for interplant purposes, in the operation of an industrial or manufacturing plant, consisting of a single unit comprising a group of buildings separated by streets, alleys, or railroad tracks, and which vehicle is used solely to transport materials from one part of the plant to another or from an adjacent railroad track to the plant and in so doing incidentally using said streets or alleys for not more than one thousand feet.

6. Any vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

7. Any school bus in this state used exclusively for the transportation of pupils to and from school or a school function or for the purposes provided in section 285.1, subsection 1. and section 285. 10, subsection 9. Upon application the department shall, without charge, issue a registration certificate and shall also issue registration plates which shall have imprinted thereon the words "Private School Bus" and a distinguishing number assigned to the applicant. Such plates shall be attached to the front and rear of each bus exempt from registration under this subsection.

8. Any mobile home.

3-3A-32 REGISTRATION CARD SIGNED, CARRIED AND EXHIBITED.

Every owner upon receipt of a registration card shall write the owner's signature thereon with pen and ink in the space provided. Every such registration card shall at all times be carried in the vehicle to which it refers and shall be shown to any peace officer upon the officer's request.

3-3A-33 EXCEPTION. The provisions requiring that a registration card be carried in the vehicle to which it refers shall not apply when such card is used for the purpose of making application for renewal of registration or upon a transfer of registration of said vehicle.

3-3A-34 PLATES OR VALIDATION STICKER FURNISHED-RETAINED BY OWNER-SPECIAL PLATES.

1. Plates issued. The County Treasurer upon receiving application, accompanied by proper fee, for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, motorized bicycle, truck tractor, trailer, or semitrailer and two registration plates for every other motor vehicle. The registration plates, including special registration plates, shall be assigned to the owner of a vehicle. Whenever the owner of a registered vehicle transfers or assigns ownership of such vehicle to another person the owner shall remove the registration plates from the vehicle. The owner shall forward the plates to the County Treasurer where the vehicle is registered or the owner may have the plates assigned to another vehicle within thirty days after transfer, upon payment of the fees required by law. The owner shall immediately affix registration plates retained by the owner to another vehicle owned or acquired by such person, providing the owner complies with section 321.46.

2. Validation stickers. In lieu of issuing new registration plates each registration year for a vehicle renewing registration, the department may reassign the registration plates previously issued to the vehicle and may adopt and prescribe annual validation stickers indicating payment of registration fees. The department shall issue two validation stickers for each set of registration plates. One sticker shall specify the year of expiration of the registration period. The second sticker shall specify the month of expiration of the registration period and need not be reissued annually. The month of registration shall not be required on registration plates or validation stickers issued for vehicles registered under chapter 326. The stickers shall be displayed only on the rear registration plate, except that the stickers shall be displayed on the front registration plate of a truck-tractor.

The State Department of Transportation shall promulgate rules to provide for the placement of motor vehicle registration validation stickers on all registration plates issued for the motor vehicle when such validation stickers are issued in lieu of issuing new registration plates under the provisions of this section.

3. Radio operators plates. The owner of an automobile, light delivery truck, panel delivery truck, or pickup who holds an amateur radio license issued by the Federal Communications Commission may, upon written application to the County Treasurer accompanied by a fee of five dollars, order special registration plates bearing the call letters authorized the radio station covered by the person's amateur radio license. When received by the County Treasurer, such special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. Not more than one set of special registration plates may be issued to an applicant. Said fee shall be in addition to and not in lieu of the fee for regular registration plates. Special registration plates must be surrendered upon expiration of the owner's amateur radio license and the owner shall thereupon be entitled to the owner's regular registration plates. The County Treasurer shall validate special plates in the same manner as regular registration plates, upon payment of five dollars in addition to the regular annual registration fee.

4. Multiyear plates. In lieu of issuing annual registration plates for trailers and semitrailers, the department may issue multiyear registration plates for a three-year period for trailers and semitrailers licensed under chapter 326 upon payment of the appropriate registration fee. Fees from three-year payments shall not be reduced or prorated.

5. Personalized registration plates:

a. Upon application and the payment of a fee of twenty-five dollars, the Director may issue to the owner of a motor vehicle registered in this state or a trailer with a gross weight of one thousand pounds or less, personalized registration plates marked with the initials, letters, or a combination of numerals and letters requested by the owner. Upon receipt of the personalized registration plates, the applicant shall surrender the regular registration plates to the County Treasurer. The fee for issuance of the personalized registration plates shall be in addition to the regular annual registration fee.

b. The County Treasurer shall validate personalized registration plates in the same manner as regular registration plates are validated under this section at an annual fee of five dollars in addition to the regular annual registration fee.

c. The fees collected by the Director under this section shall be paid to the Treasurer of State and credited by the Treasurer of State as provided in section 321.145.

6. Sample vehicle registration plates. Vehicle registration plates displaying the general design of regular registration plates, with the word "sample" displayed on the plate, may be furnished to any person upon payment of a fee of three dollars, except that such plates may be furnished to Governmental agencies without cost. Sample registration plates shall not be attached to a vehicle moved on the highways of this state.

7. Handicapped plates. The owner of a motor vehicle subject to registration pursuant to section 321.109 subsection 1, light delivery truck, panel delivery truck or pickup truck who is a handicapped or paraplegic person as defined in section 601E.1, may upon written application to the Department, order special registration plates designed by the Department bearing the international symbol of accessibility. The application shall be approved by the Department and the special registration plates shall be issued to the applicant in exchange for the previous registration plates issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The Department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee. However, the special plates shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle is still a handicapped or paraplegic person as defined in section 601E.1. The special registration plates shall be surrendered in exchange for regular registration plates when the owner of the motor vehicle no longer qualifies as a handicapped or paraplegic person as defined in section 601E. 1.

8. Prisoner of war plates. The owner of a motor vehicle subject to registration under section 321.109, subsection 1, light delivery, panel delivery truck or pickup who was a prisoner of war during the second world war at any time between December 7, 1941 and December 31, 1946, the Korean conflict at any time between June 25, 1950 and January 31, 1955 or the Vietnam conflict at any time between August 5, 1964 and June 30, 1973, all dates inclusive, may upon written application to the Department, order special registration plates designed by the Department in cooperation with the Adjutant General which plates signify that the applicant was a prisoner of war as defined in this subsection. Each applicant applying for special registration plates under this

subsection may purchase only one set of registration plates under this subsection. The application is subject to approval by the Department, in consultation with the Adjutant General, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The special plates shall contain the letters "POW" and three numerals and shall be subject to an annual registration fee of fifteen dollars. The Department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee.

9. National Guard plates. The owner of a motor vehicle subject to registration pursuant to section 321.109, subsection 1, light delivery truck, panel delivery truck or pickup who is a member of the National Guard, as defined in chapter 29A, may upon written application to the Department, order special registration plates designed by the Department in cooperation with the Adjutant General which plates signify that the applicant is a member of the National Guard. The application shall be approved by the Department, in consultation with the Adjutant General, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The fee for the special plates shall be five dollars, which shall be in addition to the regular annual registration fee. The Department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee. Special registration plates shall be surrendered in exchange for regular registration plates upon termination of the owner's membership in the active National Guard.

3-3A-37 DISPLAY OF PLATES. Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached to the motor vehicle, one in the front and the other in the rear. The registration plate issued for a motorcycle or other vehicle required to be registered hereunder shall be attached to the rear of the vehicle. The registration plate issued for a truck tractor shall be attached to the front of the truck tractor. The special plate issued to a dealer shall be attached on the rear of the vehicle when operated on the highways of this state.

The registration plate issued for an auxiliary axle shall be attached to the rear thereof when directly visible from the rear, and in all other cases, shall be attached to the right frame of such axle so as to be visible from the right side of the vehicle utilizing such axle.

It is unlawful for the owner of a vehicle to place any frame around or over the registration plate which does not permit full view of all numerals and letters printed on the registration plate.

3-3A-38 PLATES, METHOD OF ATTACHING - IMITATIONS PROHIBITED. Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging and at a height of not less than twelve inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained free from foreign materials or imitation plate or plates imitating or purporting to imitate the official license plate of any other state or territory of the United States or of any foreign government and in a condition to be clearly legible.

3-3A-41 CHANGE OF ADDRESS OR NAME OR FUEL TYPE. Whenever any person after making application for or obtaining the registration of a vehicle shall move from the address named

in the application or shown upon a registration card such person shall within ten days thereafter notify the County Treasurer of the County in which the registration of said vehicle is of record, in writing of the person's old and new addresses.

Whenever the name of any person who has made application for or obtained the registration of a vehicle is thereafter legally changed such person shall within ten days notify the County Treasurer of the County in which the title of said vehicle is of record, of such former and new name.

A person who has registered a vehicle in a County, other than the County designated on the vehicle registration plate, may apply to the County Treasurer where the vehicle is registered for new registration plates upon payment of a fee of five dollars and the return of the former County registration plates.

When a motor vehicle is modified to use a different fuel type or to use more than one fuel type the person in whose name the vehicle is registered shall within thirty days notify the County Treasurer of the County in which the registration of the vehicle is of record of the new fuel type or alternative fuel types. The County Treasurer shall make the record of such changes available to the Department of Revenue. If the vehicle uses or may use a special fuel the County Treasurer shall issue a special fuel identification sticker.

PERMITS TO NONRESIDENT OWNERS

3-3A-54 REGISTRATION REQUIRED OF CERTAIN NONRESIDENT CARRIERS. Nonresident owners of foreign vehicles operated within this State for the intrastate transportation of persons or property for compensation or for the intrastate transportation of merchandise shall register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

The term intrastate transportation as used herein shall mean the transportation for compensation of persons or property originating at any point or place in the State of Iowa and destined to any other point or place in said State irrespective of the route or highway or highways traversed, including the crossing of any State line of the State of Iowa, or the ticket or bill of lading issued and used for such transportation.

3-3A-55 REGISTRATION REQUIRED FOR CERTAIN VEHICLES OWNED OR OPERATED BY NONRESIDENTS. A nonresident owner or operator engaged in remunerative employment within the state or carrying on business within the state and owning or operating a motor vehicle, trailer, or semitrailer within the state shall register each vehicle and pay the same fees for registration as are paid for like vehicles owned by residents of this State. However, this paragraph does not apply to a person commuting from the person's residence in another state or whose employment is seasonal or temporary, not exceeding ninety days.

A nonresident owner of a motor vehicle operated within the State by a resident of the State shall register the vehicle and pay the same fees for registration as are paid for like vehicles owned by residents of this State. However, this paragraph does not apply to vehicles being operated by

residents temporarily, not exceeding ninety days. It is unlawful for a resident to operate within the State an unregistered motor vehicle required to be registered under this paragraph.

OFFENSES AGAINST REGISTRATION LAWS AND SUSPENSION OR REVOCATION OF REGISTRATION

3-3A-98 OPERATION WITHOUT REGISTRATION. No person shall operate, nor shall an owner knowingly permit to be operated upon any highway any vehicle required to be registered and titled hereunder unless there shall be attached thereto and displayed thereon when and as required by this chapter a valid registration card and registration plate or plates issued therefor for the current registration year and unless a certificate of title has been issued for such vehicle except as otherwise expressly permitted in this chapter. Any violation of this section is a simple misdemeanor.

3-3A-99 FRAUDULENT USE OF REGISTRATION. A person shall not knowingly lend to another a registration card, registration plate, special plate, or permit issued to the person if the other person desiring to borrow the card, plate, or permit would not be entitled to the use of it. A person shall not knowingly permit the use of a registration card, registration plate, special plate, or permit issued to the person by one not entitled to it, nor shall a person knowingly display upon a vehicle a registration card, registration plate or permit not issued for that vehicle under this chapter. A violation of this section is a serious misdemeanor.

3-3A-100 FALSE EVIDENCES OF REGISTRATION. It is a fraudulent practice for any person to commit any of the following acts:

1. To alter with a fraudulent intent any certificate of title, manufacturer's or importer's certificate, registration card, registration plate, manufacturer's vehicle identification plate, or permit issued by the Department or County Treasurer.

2. To forge or counterfeit any such document or plate.

3. To hold or use any such document or plate knowing the same to have been altered, forged or falsified.

4. To hold or use any certificate of title, manufacturer's or importer's certificate, registration card, registration plate, manufacturer's vehicle identification plate, or permit issued by the Department or County Treasurer, for any vehicle to which such document or plate is not legally assigned.

5. To transfer in any manner or to offer to transfer in any manner a certificate of title, manufacturer's or importer's certificate to any vehicle on which a salvage certificate of title or junking certificate is required under section 321.52, with knowledge or reason to believe that the certificate will be used for a vehicle other than the vehicle for which the certificate is issued.

3-3A-115 ANTIQUE VEHICLES-MODEL YEAR PLATES PERMITTED.

1. A motor vehicle twenty-five years old or older whose owner desires to use the motor vehicle exclusively for exhibition or educational purposes at State or County fairs, or other places where the motor vehicle may be exhibited for entertainment or education purposes, shall be given a registration for a registration fee of five dollars per annum permitting the driving of the motor vehicle upon the public roads and from State and County fairs or other places of entertainment or education for exhibition or educational purposes and to and from service stations for the purpose of receiving necessary maintenance.

2. The sale of a motor vehicle twenty-five years old or older which is primarily of value as a collector's item and not as transportation is not subject to chapter 322 and any person may sell such a vehicle at retail or wholesale without a license as required under chapter 322.

3. The owner of a motor vehicle which is registered under subsection 1, may display a registration plate from or representing the model year of the motor vehicle, furnished by the person, in lieu of a current and valid Iowa registration plate issued to the vehicle, provided that any replaced current and valid Iowa registration plate and the registration card issued to the vehicle are simultaneously carried within the vehicle and are available for inspection to any peace officer upon the officer's request.

OPERATORS AND CHAUFFEURS LICENSES

3-3A-174 OPERATORS AND CHAUFFEURS LICENSED. A person, except those hereinafter expressly exempted shall not drive any motor vehicle upon a highway in this State unless such person has a valid motor vehicle license issued by the Department. No person shall operate a motor vehicle as a chauffeur unless he/she holds a valid chauffeur's license.

Every licensee shall have the licensee's, operator's, or chauffeur's, or motorized bicycle license or instruction permit in immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a judicial magistrate or district associate judge, a peace officer, or a field deputy or examiner of the Department. However, no person charged with violating this section shall be convicted if the person produces in court, within a reasonable time, an operator's or chauffeur's or motorized bicycle license or instruction permit issued to that person and valid at the time of the person's arrest.

3-3A-180 INSTRUCTION PERMITS.

1. Any person who is at least fourteen years of age and who, except for the person's lack of instructions in operating a motor vehicle, would otherwise be qualified to obtain an operator's license, shall upon meeting the requirements of section 321.186 other than driving demonstration, and upon paying the required fee, be issued a temporary instruction permit by the Department, entitling the permittee while having such permit in the permittee's immediate possession to drive a motor vehicle upon the highways for a period of two years from the date of issuance when accompanied by a licensed operator or chauffeur who is at least eighteen years of age, or an approved driver education instructor, or a prospective driver education instructor who is enrolled in and has been specifically designated by a teacher education institution with a safety education program approved by the Department of Public Instruction, and who is actually occupying a seat

beside the driver; except that any instruction permit issued to a person who is less than sixteen years of age shall entitle such permittee to drive a motor vehicle upon the highways only when accompanied by a parent or guardian, or an approved driver education instructor, or a prospective driver education instructor, who is enrolled in and has been specifically designated by a teacher education institution with a safety education program approved by the Department of Public Instruction, or by any person who is twenty-five years of age or more if written permission is granted by the parent or guardian, who is a holder of a valid operator's or a chauffeur's license, and who is actually occupying a seat beside the driver.

If the permit holder is driving a motorcycle, the qualified operator must be within audible and visual communications distance from the permit holder and is accompanying the permit holder on or in a different motor vehicle. However, only one permit holder shall be under the immediate supervision of an accompanying qualified operator, unless the qualified operator is an approved motorcycle or driver education instructor or a prospective driver or motorcycle education instructor, and the permit holder is enrolled in an approved motorcycle or driver education course, in which case no more than three students shall be under the immediate supervision of each instructor while on the highway.

2. A person, upon meeting each of the following requirements, shall be eligible to apply for a chauffeur's instruction permit valid for the operation of a motor vehicle requiring a chauffeur's license when the permittee is accompanied by a person, possessing a valid chauffeur's license, properly licensed to drive the motor vehicle and actually occupying a seat beside the permittee. An applicant must be at least eighteen years of age, otherwise qualified to obtain a valid chauffeur's license and must meet the requirements of section 321.186 other than a driving demonstration. The chauffeur's instruction permit shall be valid for a period not to exceed two years and shall be returned to the Department upon receipt of a valid chauffeur's instruction license. Issuance of a chauffeur's instruction permit shall not require the surrender of a valid operator's license.

A permittee shall not be penalized for failing to have the permit in immediate possession if the permittee produces in court, within a reasonable time, an instruction permit issued to the permittee and valid at the time of the permittee's arrest.

3-3A-193 RESTRICTED LICENSES. When provided in rules adopted pursuant to chapter 17A, the Department upon issuing an operator's or chauffeur's license or motorized bicycle license shall have authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of vehicle or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee, including licenses issued under section 321.194, as the Department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee. The Department shall not require a person issued a valid operator's or chauffeur's license to comply with any other licensing requirements in order to operate a motorized bicycle.

The Department may either issue a special restricted license or may set forth such restrictions upon the usual license form.

The Department may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee shall be entitled to a hearing as upon a suspension or revocation under this chapter.

It is a misdemeanor, punishable as provided in section 321.482, for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person.

3-3A-194 MINORS SCHOOL LICENSES. Upon certification of a special need by the school board or the superintendent of the applicant's school, the Department may issue a school license to a person between the ages of fourteen and eighteen years. The license shall entitle the holder, while having the license in immediate possession, to operate a motor vehicle during the hours of 6 a.m. to 9 p.m. over the most direct and accessible route between the licensee's residence and schools of enrollment and between schools of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities at the schools or at any time when accompanied by a parent or guardian, driver education instructor, or prospective driver education instructor who is a holder of a valid operator's or chauffeur's license, and who is actually occupying a seat beside the driver. The license shall expire on the licensee's eighteenth birthday or upon issuance of a restricted license under section 321.178, subsection 2, or operator's license.

Each application shall be accompanied by a statement from the school board or superintendent of the applicant's school. The statement shall be upon a form provided by the Department. The school board or superintendent shall certify that a need exists for the license and that the board and superintendent are not responsible for actions of the applicant which pertain to the use of the school license. The Department of Public Instruction shall adopt rules pursuant to chapter 17A establishing criteria for issuing a statement of necessity. Upon receipt of a statement of necessity, the Department shall issue a school license. The fact that the applicant resides at a distance less than one mile from the applicant's schools of enrollment is prima-facie evidence of the nonexistence of necessity for the issuance of a license.

A license issued under this section is subject to suspension or revocation in like manner as any other license or permit issued under a law of this State. The Department may also suspend a license upon receiving satisfactory evidence that the licensee has violated the restrictions of the license or has been involved in one or more accidents chargeable to the licensee. The Department may suspend a license issued under this section upon receiving a record of the licensee's conviction for one violation and shall revoke the license upon receiving a record of conviction for two or more violations of a law of this State or a City Ordinance regulating the operation of motor vehicles on highways other than parking violations as defined in section 321.210. After revoking a license under this section the Department shall not grant an application for a new license or permit until the expiration of one year or until the licensee's sixteenth birthday, whichever is the longer period.

HOURS OF OPERATION

3-3A-225 MAXIMUM MECHANICAL OPERATION. No person shall operate a commercial vehicle for hire for more than a period of twelve hours out of any period of twenty-four hours upon the highways of this State without being relieved from duty for ten consecutive hours and

where a driver puts in twelve hours driving out of any period of twenty-four hours, though not consecutive, the driver must be given at least eight hours off duty.

An urban transit company, as defined in section 321-19, subsection 2, shall be exempt from this section where service of peak hour loads requires split shifts for drivers. A driver for an urban transit company shall not drive for more than twelve hours in any twenty-four-hour period and a driver who operates vehicle on a split shift shall have not less than one hour off between shifts.

OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

3-3A-229 OBEDIENCE TO PEACE OFFICERS. No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic.

3-3A-231 AUTHORIZED EMERGENCY VEHICLES.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.

2. The driver of any authorized emergency vehicle may:

a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.

b. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conforms to the traffic laws and regulations is available.

3. The driver of a Fire Department vehicle, Police vehicle or ambulance may:

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

b. Exceed the maximum speed limits so long as the driver does not endanger life or property.

4. The exemptions granted to an authorized emergency vehicle under subsection 2 and for a Fire Department vehicle, Police vehicle or ambulance as provided in subsection 3 shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section 321.433 or a visual signaling device approved by the Department except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection 3, paragraph "B" of this section when the vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.

5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.

3-3A-232 RADAR JAMMING DEVICES-PENALTY.

1. A person shall not sell, operate or possess a radar jamming device, except as otherwise provided in this section, when the device is in a vehicle operated on the highways of this State or the device is held for sale in this State.

2. This section does not apply to radar speed measuring devices purchased by, held for purchase for, or operated by peace officers using the devices in their official duties.

3. A radar jamming device may be seized by a peace officer subject to forfeiture as provided by chapter 809.

4. For the purpose of this section "radar jamming device" means any mechanism designed or used to transmit radio waves in the electromagnetic wave spectrum to interfere with the reception of those emitted from a device used by peace officers of this State to measure the speed of motor vehicles on the highways of this State and which is not designed for two-way transmission and cannot transmit in plain language.

3-3A-234 BICYCLES, ANIMALS, OR ANIMAL-DRAWN VEHICLES.

1. A person riding an animal or driving an animal drawing a vehicle upon a roadway is subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their nature can have no application.

(Ord. 991, Passed April 19, 2004)

TRAFFIC SIGNS, SIGNALS, AND MARKINGS

3-3A-256 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES. No driver of a vehicle shall disobey the instructions of any official traffic-control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer subject to the exceptions granted the driver of an authorized emergency vehicle.

3-3A-257 OFFICIAL TRAFFIC CONTROL SIGNAL.

1. For the purposes of this section "stop at the official traffic control signal" means stopping at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection.

2. Official traffic control signals consisting of colored lights or colored lighted arrows shall regulate vehicle and pedestrian traffic in the following manner:

a. A “steady circular red” light means vehicular traffic shall stop. Vehicular traffic shall remain standing until a signal to proceed is shown or vehicular traffic, unless prohibited by a sign, may cautiously enter the intersection to make a right turn from the right lane of traffic or a left turn from a one-way street to a one-way street from the left lane of traffic on a one-way street onto the leftmost lane of traffic on a one-way street. Turns made under this paragraph shall be made in a manner that does not interfere with other vehicular or pedestrian traffic lawfully using the intersection. Pedestrian traffic facing a steady circular red light shall not enter the roadway unless the pedestrian can safely cross the roadway without interfering with any vehicular traffic.

b. A “steady circular yellow” or “steady yellow arrow” light means vehicular traffic is warned that the related green movement is being terminated and vehicular traffic shall no longer proceed into the intersection and shall stop. If the stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. Pedestrian traffic is warned that there is insufficient time to cross the intersection and any pedestrian starting to cross the roadway shall yield the right of way to all vehicles.

c. “A steady circular green” light means vehicular traffic may proceed straight, turn right or turn left through the intersection unless otherwise specifically prohibited. Vehicular traffic shall yield the right of way to other vehicular and pedestrian traffic lawfully within the intersection.

d. A “steady green arrow” light shown alone or with another official traffic control signal means vehicular traffic may cautiously enter the intersection and proceed in the direction indicated by the arrow. Vehicular traffic shall yield the right of way to other vehicles and pedestrians lawfully within the intersection.

e. A “flashing circular red” light means vehicular traffic shall stop and after stopping may proceed cautiously through the intersection yielding to all vehicles not required to stop or yield which are within the intersection or approaching so closely as to constitute a hazard, but then may proceed.

f. A “flashing yellow” light means vehicular traffic shall proceed through the intersection or past such signal with caution.

g. A “don’t walk” light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal shall not start to cross the roadway in the direction of the pedestrian signal, and pedestrian traffic in the crossing shall proceed to a safety zone.

h. A “walk” light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal may proceed to cross the roadway in the direction of the pedestrian signal and shall be given the right of way by drivers of all vehicles.

3. Official traffic-control devices are established at the following intersections within the city limits of Maquoketa, Iowa:

Platt and Main

West Platt and Niagara
West Platt and Vermont
West Platt and Western
West Platt and Cresslane
South Main and Carlisle Drive (Ord. No. 1040, 01/02/07)
West Platt Street and McKinsey Drive (Ord. No. 1079, 02/15/10)
West Platt Street and Westgate Drive (Ord. No. 1079, 02/15/10)

3-3A-275 OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES

1. General. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.

2. Riders:

a. Motorized Bicycles. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.

b. Motorcycles. A person shall not operate or ride a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

3. Sitting Position. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.

4. Use of Traffic Lanes. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.

5. Headlights On. A person shall not operate a 1977 or later model year motorcycle or motorized bicycle upon the highways without displaying at least one lighted headlamp of the type described in section 321.409. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.

6. Packages. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.

7. Handlebars. A person shall not operate a motorcycle or motorized bicycle with handlebars more than fifteen inches in height above the portion of the seat occupied by the operator.

8. Parades. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from local authorities.

9. Bicycle Safety Flags Required on Motorized Bicycles. When operated on a highway, a motorized bicycle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the motorized bicycle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches, and be Day-Glo In color.

(Ord. 849, 11-29-94)

CRIMINAL OFFENSES

3-3A-277 RECKLESS DRIVING. Any person who drives any vehicle in such manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

Every person convicted of reckless driving shall be guilty of a simple misdemeanor.

3-3A-277A CARELESS DRIVING. A person commits careless driving if the person intentionally operates a motor vehicle on a public road or highway in any one of the following ways:

1. Creates or causes unnecessary tire squealing, skidding, or sliding upon acceleration or stopping.
2. Simulates a temporary race.
3. Causes any wheel or wheels to unnecessarily lose contact with the ground.
4. Causes the vehicle to unnecessarily turn abruptly or sway.

(Ord. No. 960- 12-17-01)

3-3A-278 DRAG RACING PROHIBITED. No person shall engage in any motor vehicle speed contest or exhibition of speed on any street or highway of this State and no person shall aid or abet any motor vehicle speed contest or speed exhibition on any street or highway of this State, except that a passenger shall not be considered as aiding and abetting. Motor vehicle speed contest or exhibition of speed are defined as one or more persons competing in speed in excess of the applicable speed limit in vehicles on the public streets or highways.

Any person who violates the provisions of this section shall be guilty of a simple misdemeanor.

(C66, 71, 73, §321.284; C75, 77, 79, 81, §321.278]
Referred to in §805.8(2)g)

3-3A-279 ELUDING OR ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VEHICLES. The driver of a motor vehicle commits a serious misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual or audible signal to stop and in doing so exceeds the speed limit by twenty-five miles per hour or more. The signal given by the peace officer shall be by flashing red light or siren. For purposes of this section, "peace officer" means those officers designated under section 801.4, subsection 7, paragraphs "A," "B," "C," "G," and "H."

(C81, §321.279)
Referred to in §321.209(8)

3-3A-285 SPEED RESTRICTIONS

1. Reasonable and Proper Speed. Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit the person to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway will observe the law.

2. Lawful Speed. The following shall be the lawful speed except as modified by sections 1 or 3, and any speed in excess thereof shall be unlawful:

- a. Twenty miles per hour in any business district.
- b. Twenty-five miles per hour in any residence or school district.
- c. Forty miles per hour for any motor vehicle drawing another vehicle, except as hereinafter specified.
- d. Forty-five miles per hour in any suburban district.
- e. Fifty-five miles per hour from sunset to sunrise and fifty-five miles per hour from sunrise to sunset.
- f. Fifty-five miles per hour for any motor vehicle drawing a one or two-wheel trailer or a tandem wheel trailer not more than thirty-two feet in length including towing arm and not more than eight feet in width.
- g. Reasonable and proper, but not greater than fifty miles per hour at any time between sunrise and sunset, and not greater than fifty miles per hour at any time between sunset and sunrise, on secondary roads unless such roads are surfaced with concrete or asphalt or a combination of both, in which case the speed limits shall be the same as provided in subsection 5 of this section.

h. Notwithstanding any other speed restrictions, the speed limits for all vehicular traffic, except vehicles subject to the provisions of section 321.286 on fully controlled-access, divided, multilaned highways including the national system of interstate highways designated by the Federal Highway Administration and this State (23 U.S.C. 103 (e) 1977) shall be fifty-five miles per hour.

It is further provided that any kind of vehicle, implement, or conveyance incapable of attaining and maintaining a speed of forty miles per hour shall be prohibited from using the interstate system.

3. Speed Zones. The following shall be lawful speed except as hereinbefore or hereinafter modified, and any speed in excess thereof shall be unlawful:

a. Twenty miles per hour (20 m.p.h.) on Platt Street from Eliza Street to Niagara Street; and, on Main Street from Maple Street to Quarry Street.

b. Twenty-five miles per hour (25 m.p.h.) in any residential district.

c. Forty-five miles per hour (45 m.p.h.) in any suburban district except as follows: the maximum speed on Western Avenue shall be 25 miles per hour for Northbound traffic and Southbound traffic between West Summit Street and West Platt Street.

(ORD 877, passed 6-7-96)

d. Thirty miles per hour (30 m.p.h.) on East Summit Street from South Matteson Street to Jacobsen Drive; on Jacobsen Drive from East Summit Street to East Platt Street; on East Platt Street from Jacobsen Drive to Eliza Street; on West Platt Street from Niagara Street to the intersection of Iowa Highways 61 and 64.

e. Forty miles per hour (40 m.p.h.) on Iowa Highway 64 from the Highway 64-61 Intersection to the West City Limits.

f. Repealed

(Ord. 926, passed 12/6/99)

g. Repealed

(ORD. 926, passed 12/6/99)

h. Forty-five miles per hour (45 m.p.h.) on Iowa Highway 64 from Jacobsen Drive to the East City Limits.

i. Forty-five miles per hour (45 m.p.h.) on Iowa Highway 62 from Iowa Highway 64 to the North City Limits.

j. Twenty-Five miles per hour (25 m.p.h.) on Myatt Drive from Summit Street to the South City Limits.

(Ord. 763, 8-19-91)

(Ord. 977, 8-19-02)

k. Twenty-five miles per hour (25 m.p.h.) on old U.S. Highway 61 from the intersection of Grove Street and North Main Street to the North end of the City Limits.

(Ord. 848, 11-21-94)

l. Sixty-five miles per hour (65 m.p.h.) on U.S. Highway 61 four-lane that runs inside City Limits.

(Ord. 926, 12-6-99)

m. Thirty miles per hour (30 mph) on 17th Street from South Main Street east to 211th Avenue; thirty miles per hour (30 mph) on 211th Avenue south to terminus at 13th Street; thirty miles per hour (30 mph) on 13th Street from 211th Avenue east to City Limits.

(Ord. 1036, 11-20-06; Ord. No. 1072, 5-18-09)

n. Thirty-five miles per hour (35 m.p.h.) on South Main Street from Monroe Street to the southbound on ramp of Highway 61.

o. Fifty-five miles per hour (55 m.p.h.) from the southbound ramp of Highway 61 to Family Dollar Parkway. (Ord. 1052, 01-21-08)

p. Fifteen miles per hour (15 m.p.h.) on alley between South Eliza and South Olive from East Pleasant to East Platt. (Ord. No. 1082, 3-1-10)

3-3A-286 TRUCK SPEED LIMITS. It shall be unlawful for the driver of a freight-carrying vehicle, with a gross weight of over five thousand pounds, to drive the same at a speed exceeding the following:

1. Fifty-five miles per hour on all fully controlled-access, divided, multilaned highways including interstate highways.
2. Fifty-five miles per hour on all primary roads.
3. Fifty miles per hour on all secondary roads.

For the purposes of this section, interstate highways are those designated by the Federal Highway Administration and this State, and primary and secondary roads are those designated by the Federal Highway Administration and this State.

(S13, §1571-m19, -m20-, C24, 27, 31, 35, §5029; C39, §5023.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.286)

Referred to in §321.285, §321.291, 321.292,
805.8(2)(g)

3-3A-287 BUS SPEED LIMITS. No passenger-carrying motor vehicle used as a common carrier, except school buses, shall be driven upon the highways at a greater rate of speed than fifty-five miles per hour at any time.

3-3A-288 CONTROL OF VEHICLE-REDUCED SPEED.

1. A person operating a motor vehicle shall have the vehicle under control at all times.
2. A person operating a motor vehicle shall reduce the speed to a reasonable and proper rate:
 - a. When approaching and passing a person walking in the traveled portion of the public highway.
 - b. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.
 - c. When approaching and traversing a crossing or intersection of public highways, or a bridge, sharp turn, curve, or steep descent, in a public highway.
 - d. When approaching and passing a fusee, flares, red reflector electric lanterns, red reflectors or red flags displayed in accordance with section 321.448 or an emergency vehicle displaying a revolving or flashing light.
 - e. When approaching and passing a slow moving vehicle displaying a reflective device as provided by section 321.383.
 - f. When approaching and passing through a sign posted construction or maintenance zone upon the public highway.

3-3A-294 MINIMUM SPEED REGULATION. 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. Peace officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be a misdemeanor.

3-3A-295 LIMITATION ON BRIDGE OR ELEVATED STRUCTURES. No person shall drive a vehicle on any public bridge or elevated structure at a speed which is greater than the maximum speed permitted under this chapter on the street or highway at a point where said street or highway joins said bridge or elevated structure, provided that if the maximum speed permitted on said street or highway differs from the maximum speed on any other street or highway joining said bridge or elevated structure, then the lowest of said speeds shall be the maximum speed limit on said bridge or elevated structure, subject to the following:

The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway,

and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter, the Department shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of two hundred feet before each end of such structure.

No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is signposted as provided in this section.

Upon the trial of any person charged with driving a vehicle at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, proof of such determination of the maximum speed by said Department and the existence of said signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

DRIVING ON RIGHT SIDE OF ROADWAY-OVERTAKING AND PASSING

3-3A-297 DRIVING ON RIGHT-HAND SIDE OF ROADWAY EXCEPTIONS.

1. A vehicle shall be driven upon the right half of the roadway upon all roadways of sufficient width, except as follows:

a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement.

b. When an obstruction exists making it necessary to drive to the left of the center of the roadway, provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within such distance as to constitute an immediate hazard.

c. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon.

d. Upon a roadway restricted to one-way traffic.

2. Any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic upon all roadways, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection, an alley, private road or driveway.

3. A vehicle shall not be driven upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, to the left of the center line of the roadway, except when authorized by official traffic-control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except

as permitted under subsection 1, paragraph "B." This subsection shall not be construed as prohibiting the crossing of the center line in making a left turn into or from an alley, private road, or driveway.

3-3A-298 MEETING AND TURNING TO RIGHT. Except as otherwise provided in section 321.297 vehicles or persons on horseback meeting each other on any roadway shall yield one-half of the roadway by turning to the right.

3-3A-299 OVERTAKING A VEHICLE. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle.

3-3A-300 FAILURE TO RECOGNIZE SIGNAL. Any driver of a vehicle that is overtaken by a faster moving vehicle who fails to heed the signal of the overtaking vehicle when it is given under such circumstances that the driver of the overtaken vehicle could, by the exercise of ordinary care and observation and precaution, hear such signal and who fails to yield that part of the traveled way as herein provided, shall be guilty of a misdemeanor.

3-3A-301 BURDEN OF PROOF. Upon proof that a signal was given as contemplated by section 321.300, the burden shall rest upon the accused to prove that the accused did not hear said signal.

3-3A-302 OVERTAKING ON THE RIGHT. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on roadway with unobstructed pavement of sufficient width for four or more lines of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

3-3A-303 LIMITATIONS ON OVERTAKING ON THE LEFT. A vehicle shall not 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 is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of a vehicle approaching from the opposite direction or a vehicle overtaken. The overtaking vehicle shall return to the right-hand side of the roadway before coming within three hundred feet of a vehicle approaching from the opposite direction when traveling on

a roadway having a legal speed limit in excess of thirty miles per hour, and the overtaking vehicle shall return to the right-hand side of the roadway before coming within one hundred feet of a vehicle approaching from the opposite direction when traveling on a roadway having a legal speed limit of thirty miles per hour or less.

3-3A-304 PROHIBITED PASSING. No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed for a distance of approximately seven hundred feet.

2. When approaching within one hundred feet of any narrow bridge, viaduct, or tunnel, when so signposted, or when approaching within one hundred feet of or traversing any intersection or railroad grade crossing.

3. Where official signs are in place directing that traffic keep to the right or a distinctive center line or off-center line is marked, which distinctive line also so directs traffic as declared in the sign manual adopted by the Department of Transportation.

3-3A-305 ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS. Upon a roadway designated and signposted for on-way traffic a vehicle shall be driven only in the direction designated.

A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

3-3A-306 ROADWAYS LANED FOR TRAFFIC. Whenever any roadway has been divided into three or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:

A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

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 drivers of vehicles shall obey the directions of every such sign.

Vehicles moving in a lane designated for slow-moving traffic shall yield the right of way to vehicles moving in the same direction in a lane not so designated when such lanes merge to form a single lane.

A portion of a highway provided with a lane for slow-moving vehicles does not become a roadway marked for three lanes of traffic.

3-3A-307 FOLLOWING TOO CLOSELY. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

3-3A-309 TOWING-CONVOYS-DRAWBARS. No person shall pull or tow by motor vehicle, for hire, another motor vehicle over any highway outside the limits of any incorporated city, except in case of temporary movement of a disabled motor vehicle to the place where repairs will be made, unless such person has complied with the provisions of sections 321.57 and 321.58. Provided, however, if such person is a nonresident of the State of Iowa and has complied with the laws of the State of that person's residence governing licensing and registration as a transporter of motor vehicles the person shall not be required to pay the fee provided in section 321.58 but only to submit proof of the person's status as a bona fide manufacturer or transporter as may reasonably be required by the Department.

Every person pulling or towing by motor vehicle another motor vehicle in convoy or caravan shall maintain a distance of at least five hundred feet between the units of said convoy or caravan.

The drawbar or towing arm between a motor vehicle pulling or towing another motor vehicle shall be of a type approved by the Director, except in case of the temporary movement of a disabled vehicle in an emergency situation.

3-3A-310 TOWING FOUR-WHEELED TRAILERS. A motor vehicle shall not tow a four-wheeled trailer with a steering axle, or more than one trailer or semitrailer, or both in combination. However, this section does not apply to a motor home, multipurpose vehicle, motor truck, truck tractor or road tractor nor to a farm tractor towing a four-wheeled trailer, nor to a farm tractor or motor vehicle towing implements of husbandry, nor to a wagon box trailer used by a farmer in transporting produce, farm products or supplies hauled to and from market.

Any four-wheeled trailer towed by a truck tractor or road tractor shall be registered under the semitrailer provisions of section 321.122, provided, however, that the provisions of this section shall not be applicable to motor vehicles drawing wagon box trailers used by a farmer in transporting produce, farm products or supplies hauled to and from market.

TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING

3-3A-311 TURNING AT INTERSECTIONS. The driver of a vehicle intending to turn at an intersection shall do so as follows:

Both the approach for a right turn and right turn shall be made as close as practical to the right-hand curb or edge of the roadway.

Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to depart from the intersection to the right of the center line of the roadway being entered.

Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

3-3A-312 TURNING ON CURVE OR CREST OF GRADE. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade or hill, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.

3-3A-313 STARTING PARKED VEHICLE. No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

3-3A-314 WHEN SIGNAL REQUIRED. No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

3-3A-315 SIGNAL CONTINUOUS. A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning when the speed limit is forty-five miles per hour or less and a continuous signal during not less than the last three hundred feet when the speed limit is in excess of forty-five miles per hour.

3-3A-316 STOPPING. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

3-3A-317 SIGNALS BY HAND AND ARM OR SIGNAL DEVICE.

1. The signals required under the provisions of this chapter may be given either by means of the hand and arm as provided in section 321.318, or by a mechanical or electrical directional signal device or light of a type approved by the Department and conforming to the provisions of this chapter relating thereto.

2. Directional signal devices shall be designed with a white, yellow or amber lamp or lamps to be displayed on the front of vehicles and with a lamp or lamps of red, yellow or amber to be displayed on the rear of vehicles. Such devices shall be capable of clearly indicating any intention to turn either to the right or to the left and shall be visible and understandable during both daylight and darkness from a distance of at least one hundred feet from the front and rear of a vehicle equipped therewith.

3. It is unlawful for any person to sell or offer for sale or operate on the highways of the State any vehicle subject to registration under the provisions of this chapter which has never been registered in this or any other State prior to January 1, 1954, unless the vehicle is equipped with a directional signal device of a type approved by the Department and is in compliance with the provisions of subsection 2 of this section. Motorcycles, motorized bicycles and semitrailers and trailers less than forty inches in width are exempt from the provisions of this section.

4. When a vehicle is equipped with a directional signal device, such device shall at all times be maintained in good working condition. No directional signal device shall project a glaring or dazzling light. All directional signal devices shall be self-illuminated when in use while other lamps on the vehicle are lighted.

5. Whenever any vehicle or combination of vehicles is disabled or for other reason may present a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, the operator then may display on the vehicle or combination of vehicles four directional signals of a type complying with the provisions of this section relating to directional signal devices in simultaneous operation.

3-3A-318 METHOD OF GIVING HAND AND ARM SIGNALS. All signals herein required which may be given by hand and arm shall when so given be given from the left side of the vehicle and the following manner and interpretation thereof is suggested:

1. Left turn - Hand and arm extended horizontally.
2. Right turn – Hand and arm extended upward.
3. Stop or decrease of speed – Hand and arm extended downward.

RIGHT OF WAY

3-3A-319 ENTERING INTERSECTIONS FROM DIFFERENT HIGHWAYS. When two vehicles enter an intersection from different highways or public streets at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

The foregoing rule is modified at through highways and otherwise as hereinafter stated in this chapter.

3-3A-320 LEFT TURNS-YIELDING. The driver of the 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 all

vehicles approaching from the opposite direction which are within the intersection or so close thereto as to constitute an immediate hazard, then said driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn.

3-3A-321 ENTERING THROUGH HIGHWAYS. The driver of a vehicle shall stop or yield as required by this chapter at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from said through highway or which are approaching so closely on said through highway as to constitute a hazard, but said driver having so yielded may proceed cautiously and with due care enter said through highway.

3-3A-322 VEHICLES ENTERING STOP OR YIELD INTERSECTION.

1. The driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Before proceeding, the driver shall yield the right of way to any vehicle on the intersecting roadway which has entered the intersection or which is approaching so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection.

2. The driver of a vehicle approaching a yield sign shall slow to a speed reasonable for the existing conditions and if required for safety, shall stop at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right of way to any vehicle on the intersecting roadway which has entered the intersection or which is approaching so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection.

3-3A-323 BACKING VEHICLE ON HIGHWAY. No person shall operate a vehicle on a highway in reverse gear unless and until such operation can be made with reasonable safety, and shall yield the right of way to any approaching vehicle on the highway or intersecting highway thereto which is so close thereto as to constitute an immediate hazard.

PEDESTRIANS RIGHTS AND DUTIES

3-3A-325 PEDESTRIANS SUBJECT TO SIGNALS. Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in sections 321.327 to 321.331.

3-3A-326 PEDESTRIANS ON LEFT. Pedestrians shall at all times when walking on or along a highway, walk on the left side of such highway.

3-3A-327 PEDESTRIANS' RIGHT OF WAY. Where traffic-control signals are not in place or in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need

be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

3-3A-328 CROSSING AT OTHER THAN CROSSWALK. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway except that cities may restrict such a crossing by ordinance.

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.

Where traffic-control signals are in operation at any place not an intersection pedestrians shall not cross at any place except in a marked crosswalk.

3-3A-329 DUTY OF DRIVER - PEDESTRIANS CROSSING OR WORKING ON HIGHWAYS. Notwithstanding the provisions of section 321.328 every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise due care upon observing any child or any confused or incapacitated person upon a roadway.

Every driver of a vehicle shall yield the right of way to pedestrian workers engaged in maintenance or construction work on a highway whenever the driver is notified of the presence of such workers by a flagman or a warning sign.

3-3A-331 PEDESTRIANS SOLICITING RIDES. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

Nothing in this section or this chapter shall be construed so as to prevent any pedestrian from standing on that portion of the highway or roadway, not ordinarily used for vehicular traffic, for the purpose of soliciting a ride from the driver of any vehicle.

3-3A-332 WHITE CANES RESTRICTED TO BLIND PERSON. For the purpose of guarding against accidents in traffic on the public thoroughfares, it shall be unlawful for any person except persons wholly or partially blind to carry or use on the streets, highways, and public places of the State any white canes or walking sticks which are white in color or white tipped with red.

3-3A-340 DRIVING THROUGH SAFETY ZONE. No vehicle shall at any time be driven through or within a safety zone.

SPECIAL STOPS REQUIRED

3-3A-353 STOP BEFORE CROSSING SIDEWALK RIGHT-OF-WAY. The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter the driver shall proceed into the sidewalk area only when the driver can do so without danger to pedestrian traffic and the driver

shall yield the right of way to any vehicular traffic on the street into which the driver's vehicle is entering.

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall stop such vehicle immediately prior to driving on said highway and shall yield the right of way to all vehicles approaching on said highway.

STOPPING, STANDING, AND PARKING

3-3A-354 STOPPING ON TRAVELED WAY. Upon any highway outside of a business or residence district a person shall not stop, park, or leave standing a vehicle, whether attended or unattended:

1. Upon the paved part of the highway when it is practical to stop, park, or leave the vehicle off that part of the highway, however, a clear and unobstructed width of at least twenty feet of the paved part of the highway opposite the standing vehicle shall be left for the free passage of other vehicles. As used in this subsection, "paved highway" includes an asphalt surfaced highway.

2. Upon the main traveled part of a highway other than a paved highway when it is practical to stop, park, or leave the vehicle off that part of the highway. However, a clear and unobstructed width of that part of the highway opposite the standing vehicle shall be left to allow for the free passage of other vehicles.

A clear view of the stopped vehicle shall be available from a distance of two hundred feet in each direction upon the highway. However, school buses may stop on the highway for receiving and discharging pupils and all other vehicles shall stop for school buses which are stopped to receive or discharge pupils, as provided in section 321.372. This section does not apply to a vehicle making a turn as provided in section 321.311.

3-3A-355 DISABLED VEHICLE. Section 321.354 shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

3-3A-358 STOPPING, STANDING, OR PARKING. No person shall stop, stand, 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 any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within five feet of a fire hydrant.

5. On a crosswalk.
6. Within ten feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway.
7. Between a safety zone and the adjacent curb or within ten feet of points on the curb immediately opposite the ends of a safety zone, unless any city indicates a different length by signs or markings.
8. Within fifty feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.
9. Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted.
10. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
12. Upon any bridge or other elevated structure upon a highway outside of cities or within a highway tunnel.
13. At any place where official signs prohibit stopping or parking.
14. Upon any street within the corporate limits of a city when the same is prohibited by a general ordinance of uniform application relating to removal of snow or ice from the streets.

3-3A-360 THEATERS, HOTELS, AND AUDITORIUMS. A space of not to exceed fifty feet is hereby reserved at the side of the street in front of any theater, auditorium, hotel having more than twenty-five sleeping rooms, or other buildings where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked, or stopped except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose.

3-3A-361 ADDITIONAL PARKING REGULATIONS. Except as otherwise provided in this section every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches of the right-hand curb.

Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches of the left-hand curb of a one-way roadway.

Local authorities may by ordinance permit angle or center parking on any roadway under their jurisdiction.

MISCELLANEOUS RULES

3-3A-362 UNATTENDED MOTOR VEHICLES. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, or when standing upon any perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

3-3A-363 OBSTRUCTION TO DRIVER'S VIEW. No person shall drive 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 driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

3-3A-364 CONTROL OF VEHICLE - SIGNALS. The driver of a motor vehicle traveling through defiles or on approaching the crest of a hill or grade shall have such motor vehicle under control and on the right-hand side of the roadway and, upon approaching any curve where the view is obstructed within a distance of two hundred feet along the highway, shall give audible warning with the horn of such motor vehicle.

3-3A-365 COASTING PROHIBITED.

1. The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears of such vehicle in neutral.

2. The driver of a commercial motor vehicle when traveling upon a downgrade shall not coast with the clutch disengaged.

3-3A-366 ACTS PROHIBITED ON FULLY CONTROLLED-ACCESS FACILITIES. It is unlawful for a person, except a person operating highway maintenance equipment or an authorized emergency vehicle, to do any of the following on a fully controlled-access facility:

1. Drive a vehicle over, upon, or across a curb, central dividing section, or other separation or dividing line.

2. Make a left turn or a semicircular or U-turn at a maintenance cross-over where an official sign prohibits the turn.

3. Drive a vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation, section, or line.

4. Drive a vehicle into the facility from a local service road.

5. Stop, park, or leave standing a vehicle, whether attended or unattended, upon the paved portion.

6. Stop, park, or leave standing a vehicle, whether attended or unattended, upon the shoulders, or the right of way except at designated rest areas or in case of an emergency or other dire necessity.

For the purpose of this section, fully controlled-access facility is a highway which gives preference to through traffic by providing access connections at interchanges with selected public roads only and by prohibiting crossings at grade or direct access at driveway connections.

3-3A-367 FOLLOWING FIRE APPARATUS. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park such vehicle within the block where the fire apparatus has stopped in answer to a fire alarm.

3-3A-368 CROSSING FIRE HOSE. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway, or streetcar track, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

3-3A-369 PUTTING DEBRIS ON HIGHWAY. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris. No substance likely to injure any person, animal or vehicle upon such highway shall be thrown or deposited by any person upon any highway. Any person who violates any provision of this section shall be guilty of a misdemeanor.

3-3A-370 REMOVING INJURIOUS MATERIAL. Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material and other material shall immediately remove the same or cause it to be removed.

3-3A-371 CLEARING UP WRECKS. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

SCHOOL BUSES

3-3A-372 DISCHARGING PUPILS - REGULATIONS

1. The driver of a school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils, turn on flashing warning lamps at a distance of not less than three hundred feet nor more than five hundred feet from the point where the pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring the bus to a stop, turn off the amber flashing warning lamps, turn on the red flashing warning lamps, and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off all flashing warning lamps, retract the stop arm and proceed on the route. Except to the extent that reduced visibility is caused by fog, snow or other weather

conditions, a school bus shall not stop to receive or discharge pupils unless there is at least three hundred feet of unobstructed vision in each direction. However, the driver of a school bus is not required to use flashing warning lamps and the stop arm when receiving or discharging pupils at a designated loading and unloading zone at a school attendance center or at extracurricular or educational activity locations where students exiting the bus do not have to cross the street or highway.

If a school district contracts with an urban transit system to transport children to and from a public or private school, the school bus which is provided by the urban transit system shall not be required to be equipped with flashing warning lights and a stop arm. If the school bus provided by an urban transit system is equipped with flashing warning lights and a stop arm, the driver of the school bus shall use the flashing warning light and stop arm as required by law.

A school bus, when operating on a highway with four or more lanes shall not stop to load or unload pupils who must cross the highway, except at designated stops where pupils who must cross the highway may do so at points where there are official traffic control devices or police officers.

A school bus shall, while carrying passengers, have its headlights turned on.

2. All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the highway, they shall be required to pass in front of the bus, look in both directions, and proceed to cross the highway on signal from the bus driver.

3. The driver of any vehicle when meeting a school bus on which the amber warning lamps are flashing shall reduce the speed of said vehicle to not more than twenty miles per hour, and shall bring said vehicle to a complete stop when school bus stops and stop signal arm is extended and said vehicle shall remain stopped until stop arm is retracted after which driver may proceed with due caution.

The driver of any vehicle overtaking a school bus shall not pass a school bus when red or amber warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen feet of the school bus when it is stopped and stop arm is extended, and shall remain stopped until the stop arm is retracted and school bus resumes motion, or until signaled by the driver to proceed.

4. The driver of a vehicle upon a highway providing two or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though the school bus is stopped.

3-3A-377 SPEED OF SCHOOL BUS. A motor vehicle in use as a school bus shall not be operated at a speed in excess of the posted maximum speed limit.

SAFETY STANDARDS

3-3A-381 MOVEMENT OF UNSAFE OR IMPROPERLY EQUIPPED VEHICLES. It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which are in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped with one or more unsafe tires or which is equipped in any manner in violation of this chapter.

3-3A-382 UPGRADE PULLS – MINIMUM SPEED. A motor vehicle or combination of vehicles which cannot proceed up a three percent grade, on dry concrete pavement, at a minimum speed of twenty miles per hour, shall not be operated upon the highways of this State.

3-3A-383 EXCEPTIONS - SLOW VEHICLES IDENTIFIED.

1. This chapter with respect to equipment on vehicles does not apply to implements of husbandry, road machinery, bulk spreaders and other fertilizer and chemical equipment defined as special mobile equipment, road rollers, or farm tractors except as made applicable in this section. However, the movement of implements of husbandry between the retail seller and a farm purchaser or the movement of indivisible implements of husbandry between the place of manufacture and a retail seller or farm purchaser is subject to safety rules. The safety rules shall prohibit the movement of any power unit towing more than one implement of husbandry from the manufacturer to the retail seller, from the retail seller to the farm purchaser, or from the manufacturer to the farm purchaser.

2. When operated on a highway in this State at a speed of twenty-five miles per hour or less, every farm tractor, or tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, horse-drawn vehicle, or any other vehicle principally designed for use off the highway and any such tractor, implement, vehicle or grader when manufactured for sale or sold at retail after the thirty-first of December, 1971, shall be identified with a reflective device of a type approved by the Director; however, this provision shall not apply to such vehicles when traveling in any escorted parade. The reflective device shall be visible from the rear and mounted in a manner approved by the Director. All vehicles specified in this section shall be equipped with such reflective device after the thirty-first of December, 1971. The Director, when approving such device, shall be guided as far as practicable by the standards of the American Society of Agricultural Engineers. No vehicle other than those specified in this section shall display a reflective device approved for the use herein described. On vehicles specified herein operating at speeds above twenty-five miles per hour, the reflective device shall be removed or hidden from view.

3. Garbage collection vehicles, when operated on the streets or highways of this State at speeds of twenty-five miles per hour or less, may display a reflective device of a type and in a manner approved by the Director. At speeds in excess of twenty-five miles per hour the device shall not be visible.

LIGHTING EQUIPMENT

3-3A-384 WHEN LIGHTED LAMPS REQUIRED.

1. Every motor vehicle upon a highway within the State, at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead, shall display lighted head lamps as provided in section .415, subject to exceptions with respect to parked vehicles as hereinafter stated.

2. Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subsection 1 of this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

3-3A-389 REFLECTORS ADDITIONAL. Every new motor vehicle, trailer, or semitrailer hereafter sold and every commercial vehicle hereafter operated on a highway shall also carry at the rear, either as part of the rear lamp or separately, a red reflector meeting the requirements of this chapter.

3-3A-390 REFLECTOR REQUIREMENTS. Whenever a red reflector is required or permitted to be used in substitution of lamps upon a vehicle under any one of the provisions of this chapter, such reflector shall be mounted upon the vehicle at a height not to exceed forty-two inches nor less than twenty inches above the ground upon which the vehicle stands, and every such reflector shall be so designed and maintained as to be visible at night from all distances within three hundred feet to fifty feet from such vehicle, except that on a commercial vehicle the reflector shall be visible from all distances within five hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted head lamps.

3-3A-391 APPROVAL OF REFLECTORS. No reflector as required by this chapter shall be used except of a type approved by the Department and the Department is hereby authorized to approve or disapprove types of reflectors submitted and to publish a list of such approved types by trade name or otherwise.

3-3A-392 CLEARANCE AND IDENTIFICATION LIGHTS. Every motor truck, and every trailer or semitrailer of over three thousand pounds gross weight, shall be equipped with the following lighting devices and reflectors in addition to other requirements of this chapter.

1. Every motor truck, whatever its size shall have the following:
 - On each side, one reflector, at or near the rear; and
 - On the rear, two reflectors, one at each side.

2. Every motor truck, eighty inches or more in width shall have the following in addition to the requirements of subsection 1:

- a. If thirty feet or less in overall length –
 - On the front, two clearance lamps, one at each side; and

On the rear, two clearance lamps, one at each side.

b. If more than thirty feet in overall length –

On the front, two clearance lamps, one at each side;

On each side, two side-marker lamps, one at or near the front, and one at or near the rear, and an additional reflector at or near the front; and

On the rear, two clearance lamps, one at each side.

3. Every truck tractor or road tractor shall have the following:

On the front, two clearance lamps, one at each side if the tractor cab is as wide as, or wider than, the widest part of the vehicle or vehicles towed;

On each side, one side-marker lamp at or near the front; and

On the rear, one tail lamp.

4. Every trailer or semitrailer having a gross weight in excess of three thousand pounds shall have the following:

On the front, two clearance lamps, one at each side, if the trailer is wider in its widest part than the cab of the vehicle towing it;

On each side, one side-marker lamp at or near the rear; two reflectors, one at or near the front and one at or near the rear; and

On the rear, two clearance lamps, one at each side; one stop light; one tail lamp; and two reflectors, one at each side.

5. Every motor truck or combination of motor truck and trailer having a length in excess of thirty feet or a width in excess of eighty inches shall be equipped with three identification lights on both front and rear. Each such group shall be evenly spaced not less than six nor more than twelve inches apart along a horizontal line near the top of the vehicle.

3-3A-393 COLOR AND MOUNTING. No lighting device or reflector, when mounted on or near the front of any motor truck or trailer, except school buses shall display any other color than white, yellow, or amber; provided that installations heretofore in place and otherwise complying with the law may display a green light, however, such green light shall be replaced with the appropriate color when replacement is made or prior to January 1, 1980, whichever is earlier.

No lighting device or reflector, when mounted on or near the rear of any motor truck or trailer, shall display any other color than red, except that the stoplight may be red, yellow, or amber.

Clearance lamps shall be mounted on the permanent structure of the vehicle in such manner as to indicate the extreme width of the vehicle or its load.

The provisions of this section shall not prohibit the use of a lighting device or reflector displaying an amber light when such lighting device or reflector is mounted on a motor truck, trailer, tractor, or motor grader owned by the State, or any political subdivision of the State, or any municipality

therein, while such equipment is being used for snow removal, sanding, maintenance, or repair of the public streets or highways.

3-3A-394 LAMP OR FLAG ON PROJECTING LOAD. Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, a red light or lantern plainly visible from a distance of at least five hundred feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than sixteen inches square.

3-3A-395 LAMPS ON PARKED VEHICLES. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, outside of a business district whether attended or unattended, such vehicle shall be equipped with one or more lamps which shall exhibit a white or amber light on the way side visible from a distance of five hundred to the front of such vehicle and a red light visible from a distance of five hundred feet to the rear, except that local authorities may provide by ordinance or resolution that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to reveal any person or object within a distance of five hundred feet upon such highway. Lamps on parked or stopped vehicles, except trucks, trailers or semitrailers as defined in section .392, required to be exhibited by this section, but not including running lights, shall not be lighted at any time when the vehicle is being driven on the highway unless the head lamps are also lighted. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

3-3A-397 LAMPS ON BICYCLES. Every bicycle shall be equipped with a lamp on the front exhibiting a white light, at the times specified in section .384 visible from a distance of at least three hundred feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred feet to the rear; except that a red reflector meeting the requirements of this chapter may be used in lieu of a rear light.

3-3A-398 LAMPS ON OTHER VEHICLES AND EQUIPMENT. All vehicles, including animal-drawn vehicles and including those referred to in section.383 not hereinbefore specifically required to be equipped with lamps, shall at the times specified in section .384 be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet to the front of such vehicle and, except for animal-drawn vehicles, with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet to the rear. Animal-drawn vehicles shall be equipped with a flashing amber light visible from a distance of five hundred feet to the rear of the vehicle during the time specified in section .384.

3-3A-402 SPOT LAMPS. Any motor vehicle may be equipped with not to exceed one spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet ahead of the vehicle.

3-3A-403 AUXILIARY DRIVING LAMPS. Any motor vehicle may be equipped with not to exceed three auxiliary driving lamps mounted on the front at a height not less than twelve inches

nor more than forty-two inches above the level surface upon which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this chapter.

3-3A-404 SIGNAL LAMPS AND SIGNAL DEVICES. Every motor vehicle shall be equipped with a signal lamp or signal device which is so constructed and located on the vehicle as to give a signal of intention to stop, which shall be red or yellow in color, which signal shall be plainly visible and understandable in normal sunlight and at night from a distance of one hundred feet to the rear but shall not project a glaring or dazzling light.

3-3A-409 MANDATORY LIGHTING EQUIPMENT. Except as hereinafter provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motorized bicycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and the lamps may, in addition, be so arranged that selection can be made automatically, subject to the following limitations.

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions.

2. There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet ahead. On a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

3. Every new motor vehicle, other than a motorcycle or motorized bicycle which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle.

3-3A-415 REQUIRED USAGE OF LIGHTING DEVICES. Whenever a motor vehicle is being operated on a roadway or shoulder during the times specified in section .384, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

1. Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in section .409, subsection 2, shall be deemed to avoid glare at all times, regardless of road contour and loading.

2. Whenever the driver of a vehicle follows another vehicle within two hundred feet to the rear, except when engaged in the act of overtaking and passing; the driver shall use a distribution

of light permissible under this chapter other than the uppermost distribution of light specified in section .409, subsection 1.

3. The provisions of subsection 1 and 2 do not apply to motorcycles or motorized bicycles being operated between sunrise and sunset.

3-3A-419 NUMBER OF DRIVING LAMPS REQUIRED PERMITTED. At all times at least two lighted lamps, except where one only is permitted, shall be displayed, one on each side at the front of every motor vehicle except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

3-3A-420 NUMBER OF LAMPS LIGHTED. Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

3-3A-422 RED LIGHT IN FRONT. No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying or reflecting a red light visible from directly in front thereof. This section shall not apply to authorized emergency vehicles or school buses.

No person shall display any color of light other than red on the rear of any vehicle, except that stop lights and directional signals may be red, yellow, or amber.

3-3A-423 FLASHING LIGHTS.

1. Definitions. As used in this section, unless the context otherwise requires:

A. "Fire Department" means a paid or volunteer organized Fire Department.

B. "Member" means a person who is a member in good standing of a Fire Department.

2. Prohibited lights. A flashing light on or in a motor vehicle is prohibited except as follows:

a. On an authorized emergency vehicle.

b. On a vehicle as a means of indicating a right or left turn, a mechanical failure, or an emergency stop or intent to stop.

c. On a motor vehicle used by a rural mail carrier when stopping or stopped on or near a highway in the process of delivering mail, if such a light is any shade of color between white and amber and if it is mounted as a dome light on the roof of the vehicle.

d. On a vehicle being operated under an excess size permit.

e. A flashing blue light on a vehicle upon which a blue light is permitted pursuant to subsection 3 of this section.

3. Blue light. A blue light shall not be used on any vehicle except:

a. A vehicle owned or exclusively operated by a Fire Department; or

b. A vehicle authorized by the Director when:

(1) The vehicle is owned by a member of a Fire Department.

(2) The request for authorization is made by the member on forms provided by the Department.

(3) Necessity for authorization is demonstrated in the request.

(4) The Chief of the Fire Department certifies that the member is in good standing with the Fire Department and recommends that the authorization be granted.

4. Expiration of authority. The authorization shall expire at midnight on the thirty-first day of December five years from the year in which it was issued, or when the vehicle is no longer owned by the member, or when the member has ceased to be an active member of the Fire Department or when the member has used the blue light beyond the scope of its authorized use.

5. When used. The certificate of authorization shall be carried at all times with the certificate of registration of the authorized vehicle and the operator of the vehicle shall not illuminate the blue light except:

a. When the member is en route to the scene of a fire or is responding to an emergency in the line of duty requiring the services of the member;

b. When the authorized vehicle is transporting a person requiring emergency care; or

c. When the authorized vehicle is at the scene of an emergency.

d. The use of a blue light in or on a private motor vehicle shall be for identification purposes only.

6. Amber flashing light. A farm tractor, farm tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, or other vehicle principally designed for use off the highway which, when operated on a primary or secondary road, is operated at a speed of twenty-five miles an hour or less, shall be equipped with and display an amber flashing light visible from the rear at any time from sunset to sunrise. All vehicles specified in this subsection which are manufactured for sale or sold in this state shall be equipped with an amber flashing light. The type, number, dimensions, and method of mounting of the lights shall

be determined by the Director. The Director, when approving the light, shall be guided as far as practicable by the standards of the American Society of Agricultural Engineers.

BRAKES, HITCHES, AND SWAY CONTROL

3-3A-430 Brake, hitch,, and control requirements.

1. Every motor vehicle, other than a motorcycle, or motorized bicycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

2. Every motorcycle and motorized bicycle, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot.

3. Every trailer or semitrailer of a gross weight of three thousand pounds or more, and every trailer coach or travel trailer of a gross weight of three thousand pounds or more intended for use for human habitation, when operated on the highways of this State, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, and so designed as to be applied by the driver of the towing motor vehicle from its cab, or with self-actuating brakes, and weight equalizing hitch with a sway control of a type approved by the Director of Transportation. Every semitrailer, travel trailer, or trailer coach of a gross weight of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the breaks on the semitrailer, travel trailer, or trailer coach from the cab of the towing vehicle. Trailers or semitrailers with a truck or truck tractor need only comply with the brake requirements.

4. Except as otherwise provided in this chapter, every new motor vehicle, trailer, or semitrailer hereafter sold in this State and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle with the following exceptions:

- a. Any motorcycle or motorized bicycle.
- b. Any trailer or semitrailer of less than three thousand pounds gross weight need not be equipped with brakes.

MISCELLANEOUS EQUIPMENT

3-3A-432 HORNS AND WARNING DEVICES. Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with the horn but shall not otherwise use such horn when upon a highway.

3-3A-433 SIRENS AND BELLS PROHIBITED. No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section. It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound under normal conditions from a distance of not less than five hundred feet and of a type approved by the Department, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.

3-3A-434 BICYCLE SIRENS OR WHISTLES. No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

3-3A-436 MUFFLERS, PREVENTION OF NOISE. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, by-pass or similar device upon a motor vehicle on a highway.

3-3A-437 MIRRORS. Every motor vehicle shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle. Any motor vehicle so loaded, or towing another vehicle in such manner, as to obstruct the view in a rear view mirror located in the driver's compartment shall be equipped with a side mirror so located that the view to the rear will not be obstructed however when such vehicle is not loaded or towing another vehicle the side mirrors shall be retracted or removed. All van or van type motor vehicles shall be equipped with outside mirrors of unit magnification, each with not less than nineteen point five square inches of reflective surface, installed with stable supports on both sides of the vehicle, located so as to provide the driver a view to the rear along both sides of the vehicle, and adjustable in both the horizontal and vertical directions to view the rearward scene.

3-3A-438 WINDSHIELD AND WINDOWS.

1. A person shall not drive a motor vehicle equipped with a windshield, sidewings, or side or rear windows which do not permit clear vision.

2. A person shall not operate on the highway a motor vehicle equipped with a front windshield, a side window to the immediate right or left of the driver, or a sidewing forward of and to the left or right of the driver which is excessively dark or reflective so that it is difficult for a person outside the motor vehicle to see into the motor vehicle through the windshield, window, or sidewing. The Department shall adopt rules establishing a minimum measurable standard of transparency which shall apply to violation of this subsection.

3. Every motor vehicle except a motorcycle, or a vehicle included in the provisions of section 383.115 shall be equipped with a windshield in accordance with section 383.444.

3-3A-439 WINDSHIELD WIPERS. The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

3-3A-440 RESTRICTIONS AS TO TIRE EQUIPMENT. Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery. Any pneumatic tire on a vehicle shall be considered unsafe if it has:

1. Any part of the ply or cord exposed;
2. Any bump, bulge or separation;
3. A tread design depth of less than one-sixteenth of an inch measured in any two or more adjacent tread grooves, exclusive of tie bars or, for those tires with tread wear indicators, worn to the level of the tread wear indicators in any two tread grooves;
4. A marking "not for highway use," "for racing purposes only," unsafe for highway use";
5. Tread or sidewall cracks, cuts or snags deep enough to expose the body cord;
6. Such other conditions as may be reasonably demonstrated to render it unsafe;
7. Been regrooved or recut below the original tread design depth, excepting special tires which have extra under tread rubber and are identified as such, or if a pneumatic tire was originally designed without grooves or tread, the safety standards therefor shall be established by the Director.

3-3A-441 METAL TIRES PROHIBITED. No person shall operate or move on a paved highway any motor vehicle, trailer, or semitrailer having any metal tire or metal track in contact with the roadway.

3-3A-442 PROJECTIONS ON WHEELS. No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire except that it shall be permissible to use:

1. Farm machinery with tires having protuberances which will not injure the highway.
2. Tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.
3. Pneumatic tires with inserted ice grips or studs projecting not more than one-sixteenth inch beyond the tread of the traction surface of the tire upon any vehicle from November 1 of each year to April 1 of the following year, except that a school bus and Fire Department emergency apparatus may use such tires at any time.

3-3A-444 SAFETY GLASS.

1. No person shall sell any new motor vehicle nor shall any motor vehicle manufactured since July 1, 1935, be registered, or operated unless such vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields. Replacements of glass in doors, windows, or windshields shall be of safety glass.

2. The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken or such other or similar product as may be approved by the Director.

3. The Director shall compile and publish a list of types of glass by name approved by the Director as meeting the requirements of subsection 2 and the Director shall not register any motor vehicle which is subject to the provisions of subsection 1 unless it is equipped with an approved type of safety glass, and the Director shall suspend the registration of any motor vehicle so subject to said section which the Director finds is not so equipped until it is made to conform to the requirements of said section.

3-3A-445 SAFETY BELTS AND SAFETY HARNESS USE REQUIRED.

1. Except for motorcycles or motorized bicycles, 1966 model year or newer motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses of a type and installed in a manner approved by rules adopted by the Department pursuant to chapter 17A. The Department shall adopt rules regarding the types of safety belts and safety harnesses required to be installed. The rules shall conform with Federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. Sections 571.209-571.210 and with prior federal motor vehicle's model year. The Department may adopt rules which comply with changes in the applicable federal motor vehicle safety standards with regard to the type of safety belts and safety harnesses and their manner of installation.

2. The driver and front seat occupants of a type of motor vehicle which is subject to registration in Iowa, except a motorcycle or motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this State except that a child under six years of age shall be secured as required under section 321.466.

This subsection does not apply to:

a. The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses under rules adopted by the Department.

b. The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five miles per hour between stops.

c. The driver of a motor vehicle while performing duties as rural letter carrier for the United States Postal Service. This exemption applies only between the first delivery point after leaving the Post Office and the last delivery point before returning to the Post Office.

d. Passengers on a bus.

e. A person possessing a written certification from a physician on a form provided by the Department that the person is unable to wear a safety belt or safety harness due to physical or medical reasons. The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve months, at which time a new certification may be issued.

f. Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However this exemption does not apply to the driver of the authorized emergency vehicle.

During the six-month period from July 1, 1986 through December 31, 1986, peace officers shall issue only warning citations for violations of this subsection, except this does not apply to drivers subject to the Federal motor carrier safety regulation 49 C.F.R. Section 392.16.

The Department, in cooperation with the Department of Public Safety and the Department of Education, shall establish educational programs to foster compliance with the safety belt and safety harness usage requirements of this subsection.

3. The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection 2. The owner of the motor vehicle may be charged for equipment violations under subsection 1.

4.

a. The nonuse of a safety belt or safety harness by a person is not admissible or material as evidence in a civil action brought for damages in a cause of action arising prior to July 1, 1986.

b. In a cause of action arising on or after July 1, 1986, brought to recover damages arising out of the ownership or operation of a motor vehicle, the failure to wear a safety belt or safety harness in violation of this section shall not be considered evidence of comparative fault under section 668.3, subsection 1. However, except as provided in section 321.446, subsection 6, the failure to wear a safety belt or safety harness in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt or safety harness in violation of the section must first introduce substantial evidence that the failure to wear a safety belt or safety harness contributed to the injury or injuries claimed by the plaintiff.

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt or safety harness in violation of this section contributed to the plaintiff's claimed injury or injuries, and may reduce the amount of plaintiff's recovery by an

amount not to exceed five percent of the damages awarded after any reductions for comparative fault.

5. The Department shall adopt rules pursuant to chapter 17A providing exceptions from application of subsections 1 and 2 for front seats and front seat passengers of motor vehicles owned, leased, rented, or primarily used by physically handicapped persons who use collapsible wheelchairs.

(Ord. 812, passed 5-3-93)

3-3A-446 CHILD RESTRAINT DEVICES.

1. A child under three years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten thousand pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by a child restraint system which meets Federal motor vehicle safety standards and the system shall be used in accordance with the manufacturer's instructions.

2. A child at least three years of age but under six years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten thousand pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by either a child restraint system that meets Federal motor vehicle safety standards and is used in accordance with the manufacturer's instructions, or by a safety belt or safety harness of a type approved under section 321.445.

3. This section does not apply to nonresidents of Iowa or to peace officers acting on official duty. This section also does not apply to the transportation of children in 1965 model year or older vehicles. This section does not apply to the transportation of a child who has been certified by a physician licensed under Chapter 148, 150, or 150A as having a medical, physical, or mental condition which prevents or makes inadvisable securing the child in a child restraint system, safety belt or safety harness.

4. The operator who violates subsection 1 or 2 is guilty of a misdemeanor and subject only to the penalty provisions of 805.8, subsection 2, paragraph "t".

5. A person who is first charged for a violation of subsection 1 and who has not purchased or otherwise acquired a child restraint system shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system which meets Federal motor vehicle safety standards.

6. Failure to use a child restraint system, safety belts, or safety harnesses required by this section does not constitute negligence nor is the failure admissible as evidence in a civil action.

SIZE, WEIGHT, AND LOAD

3-3A-466 INCREASED LOADING CAPACITY – REREGISTRATION.

1. An increased gross weight registration may be obtained for any vehicle by payment of the difference between the annual fee for the higher gross weight and the amount of the fee for the gross weight at which it is registered.

2. During or after the seventh month of a current registration year, the owner of a motor truck, truck tractor, road tractor, semitrailer or trailer may, if the owner's operation has not resulted in a conviction or action pending under this section, increase the gross weight of the vehicle to a higher gross weight classification by payment of one-twelfth of the difference between the annual fee for the higher gross weight and the amount of the fee for the gross weight at which it is registered, multiplied by the number of unexpired months of the registration year.

3. Upon conversion of a truck to a truck tractor or a truck tractor to a truck, an increased gross weight registration of the proper type may be obtained for the vehicle by payment, except as provided in section 321.106, of one-twelfth of the difference between the annual fee for the higher gross weight and the amount of the annual fee for the gross weight at which the vehicle is registered, multiplied by the number of unexpired months of the registration year from the date of the conversion.

4. The registered gross weight of any vehicle or combination of vehicles may also be increased by installing and using a properly registered auxiliary axle or axles, and the combined registered gross weight of such vehicle and auxiliary axle or axles shall determine the total registered gross weight thereof. No auxiliary axle may be used to convert a single axle to a tandem axle unless equipped with a device to equalize the load carried by the single axle and the said auxiliary axle when in tandem and when in motion or when standing, and the load transmitted to the highway by either the single axle or the auxiliary axle shall not exceed that permitted for any single axle, nor shall the load transmitted to the highway when in tandem and when in motion or when standing, exceed that permitted for any tandem axle.

5. It shall be unlawful for any person to operate a motor truck, trailer, truck tractor, road tractor, semitrailer or combination thereof, or any such vehicle equipped with a transferable auxiliary axle or axles, on the public highways with a gross weight exceeding that for which it is registered by more than five percent of the gross weight for which it is registered, provided, however, that any vehicle or vehicle combination referred to herein, while carrying a load of raw farm products, soil fertilizers, including ground limestone, raw dairy products or livestock, live poultry, eggs, may be operated with a gross weight of twenty-five percent in excess of the gross weight for which it is registered.

6. For the purposes of this section cracked or ground soy beans, sargo, corn, wheat, rye, oats or other grain shall be deemed to be raw farm products, provided that such products are being directly delivered to a farm, from the place where the whole grain had been delivered from a farm for the purpose of cracking or grinding and immediate delivery to the farm to which such cracked or ground products are being delivered.

7. The truck operator shall have in the truck operator's possession a receipt showing place of processing on the return trip.

FAWN BROOK ESTATES ENFORCEMENT

3-3A-467 The vehicular traffic provisions and all other provisions of the Maquoketa Code of Ordinances shall be enforced within the Fawn Brook Estates by the law enforcement officials of the City of Maquoketa.

(Ord. 767, 9-3-91)

3-3A-468 WEIGHT RESTRICTIONS - CITY STREETS

1. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of six (6) tons at any time upon any street that is not named as part of the truck route set forth in Subsection 2 of this Section.

2. Every motor vehicle weighing six (6) tons or more, when loaded or empty, having no fixed terminal within the City or making nonscheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

a. Business Highway 61 (Main Street) from the South City Limits to the North end of the Maquoketa River Bridge where the street becomes the Old Hurstville Road or to the intersection of North Main and Pershing Street.

b. Pershing Street from North Main to Iowa Highway 62

c. Iowa Highway 64 (Platt Street) from the West City Limit to the East City Limits

d. East Summit Street from South Main Street to the intersection with Jacobsen Drive

e. Jacobsen Drive from Summit Street to Iowa Highway 64 (Platt Street)

f. Maple Street from Jacobsen Drive to Clark Street

g. Clark Street from Maple Street to Iowa Highway 64 (Platt Street)

h. North Dearborn Street from Iowa Highway 64 (Platt Street) to Quarry Street

i. Quarry Street from North Dearborn Street to North Main

j. U.S. Highway 61 from the South City Limits to the North City Limits

k. McKinsey Drive from West Platt Street to German Street.

(Ord. 795, passed 8-3-92)

3. Any motor vehicle weighing six (6) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in subsection 2 of this section

to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

4. It shall be a violation of this section for the owner or operator or lessor of any vehicle to operate or require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

5. This section 3-3A-468 shall not apply to anyone who operates a vehicle enroute to and from their place of residence or business.

(Ord. 769, 11-4-91)

3-3A-469 LOAD RESTRICTION: MAQUOKETA RIVER BRIDGE. No person shall operate any vehicle with a gross vehicle weight in excess of ten (10) tons at any time upon the City-County Bridge over the Maquoketa River.

(Ord. 840, 7-18-94)

3-3A-470 LOUD AND EXCESSIVE NOISE. No person shall drive a motor vehicle on any street or alley of this City in a manner to cause loud and excessive noise by squealing tires or racing the motor of a motor vehicle.

(Ord. 784, 5-18-92)

(Ord. 991, Passed April 19, 2004)

3-3A-471 ENGINE BRAKES AND COMPRESSION BRAKES

1. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City of Maquoketa, Iowa any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any such vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, except in response to an imminent traffic accident.

2. The usage of an engine brake, compression brake, compression brake or mechanical exhaust device designed to aid in braking or deceleration in such a manner so as to be audible at a distance of three hundred feet (300') from the motor vehicle shall constitute evidence of a prima facie violation of this section.

3. The scheduled fine for a violation of this Section shall be one hundred dollars (\$100.00).

(Ord. 979, Passed September 3, 2002)