

105.0605 VEHICLE TURNING LEFT AT INTERSECTION

The provisions of North Dakota Century Code, section 39-10-23, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The driver of a vehicle intending to turn to the left within an intersection or into any alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

105.0606 LIMITATIONS ON TURNING AROUND

The provisions of North Dakota Century Code, section 39-10-36, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with other traffic.
- b. 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, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.
- c. The driver of any vehicle shall not turn such vehicle so as to proceed in an opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

105.0607 TURNING MOVEMENTS AND REQUIRED SIGNALS GENERALLY

The provision of North Dakota Century Code, section 39-10-38, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in section 105.0604 or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movements can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.
- b. A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet travelled by the vehicle before turning.
- c. 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.

- d. The signals required on vehicles by subsection (b) of section 105.0608 shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

105.0608 SIGNALS BY HAND AND ARM OR SIGNAL LAMPS

The provisions of North Dakota Century Code, section 39-10-39, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Any stop or turn signal when required herein shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection (b) of this section.
- b. Any motor vehicle in use on a highway shall be equipped with, and required signals shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurement shall apply to any single vehicle and to any combination of vehicles.

105.0609 METHODS OF GIVING HAND AND ARM SIGNALS

The provisions of North Dakota Century Code, section 39-10-40, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

- a. Left turn: Hand and arm extended horizontally.
- b. Right turn: Hand and arm extended upward.
- c. Stop or decreased speed: Hand and arm extended downward.

Article VII. One-Way Streets and Alleys.

105.0701 AUTHORITY TO DESIGNATE; SIGNS REQUIRED

The city traffic engineer or authorized person may determine and designate one-way streets or alleys and shall place and maintain official traffic-control devices giving notice thereof. No such designation shall be effective unless such devices are in place.

Article VIII. Stop and Yield Intersections.

105.0801 STOP SIGNS AND YIELD SIGNS

The provisions of North Dakota Century Code, section 39-10-44, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Preferential right-of-way at an intersection may be indicated by stop signs or yield signs.
- b. Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway.
- c. Every stop sign shall bear the word "Stop" in letters not less than eight inches in height. Every yield sign shall bear the word "Yield" in letters not less than six inches in height.

Every stop sign and every yield sign shall at night time be rendered luminous by internal illumination, by a light projected on the face of the sign or by efficient reflecting elements in the face of the sign.

- d. Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.
- e. The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting highway.

105.0802 ADDITIONAL PROVISIONS AS TO STOP SIGNS AND YIELD SIGNS

The provisions of North Dakota Century Code, section 39-10-24, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Preferential right-of-way may be indicated by stop signs or yield signs.
- b. Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, or, if none, at the point of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.

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

105.0803 EMERGING FROM ALLEY, DRIVEWAY, PRIVATE ROAD OR BUILDING

The provisions of North Dakota Century Code, section 39-10-45, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The driver of a vehicle emerging from any alley, driveway, private road or building within a business or residence district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, road or driveway, or in the event there is no sidewalk area, shall stop at the point of approaching traffic thereof.

105.0804 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN

The provisions of North Dakota Century Code, section 39-10-41, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
 1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
 2. A cross gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
 3. A railroad train approaching within approximately one thousand three hundred and twenty feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or
 4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

- b. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. No person shall drive any vehicle past any human flagman at a railroad crossing until the flagman signals that the way is clear to proceed.

105.0805 ALL VEHICLES MUST STOP AT CERTAIN RAILROAD GRADE CROSSINGS

The provisions of North Dakota Century Code, section 39-10-42, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The State Highway Department and the City, with respect to highways under their respective jurisdictions, are hereby authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs there. When such stop signs are erected, the driver of any vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

105.0806 CERTAIN VEHICLES MUST STOP AT ALL RAILROAD GRADE CROSSINGS

The provisions of North Dakota Century Code, section 39-10-43, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of a bus carrying passengers, or of any school bus carrying any school child, or of any vehicle carrying any chlorine, empty or loaded cargo tank vehicles used to transport dangerous articles or any liquid having a flashpoint below two hundred degrees Fahrenheit, cargo tank vehicles transporting a commodity having a temperature above its flashpoint at the time of loading, certain cargo tank vehicles transporting commodities under special permits issued by a hazardous materials regulations board, and every motor vehicle which must have the following placards: "explosives," "poison," "flammable oxidizers," "compressed gas," "corrosives," "flammable gas," "radio-active" or "dangerous," before crossing at grade any track or tracks or a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any such vehicle shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing such crossing and the driver shall not manually shift gears while crossing the track or tracks.
- b. No stop need be made at any such crossing at which traffic is controlled by a police officer. For the purposes of this section, a United States marshall shall be considered a police officer.

Article IX. Miscellaneous Driving Rules.

105.0901 DRIVER NOT TO OBSTRUCT INTERSECTION OR CROSSWALK

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

105.0902 DRIVING THROUGH FUNERAL OR OTHER PROCESSION

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this article. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

105.0903 PROCESSIONS--GENERALLY

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

105.0904 SAME--FUNERAL PROCESSIONS TO BE IDENTIFIED

A funeral composed of a procession of vehicles shall be identified as such by headlights burning in daylight hours on all vehicles in the procession, or by such other methods as may be determined and designated by the chief of police.

105.0905 SAME--WHEN PERMITS REQUIRED

No funeral, procession or parade containing two hundred or more persons or fifty or more vehicles, except the armed forces of the United States, the military forces of this state and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply.

105.0906 VEHICLES TO BE DRIVEN ON RIGHT SIDE OF ROADWAY; EXCEPTIONS

The provisions of North Dakota Century Code, section 39-10-08, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
 1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
 2. When an obstruction exists making it necessary to drive to the left of the center of the highway; provided, that any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

3. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereto; or
 4. Upon a roadway restricted to one-way traffic.
- b. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane then available for traffic, or as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn in an intersection or onto a private road or driveway.
 - c. Upon any roadway having four or more lanes for moving traffic and providing for two way movement of traffic, no vehicle shall be driven to the left of the centerline 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 paragraph (2) of subsection (a) hereof. However, this subsection shall not be construed as prohibiting the crossing of the centerline in making a left turn into or from an alley, private road or driveway.

105.0907 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS

The provisions of North Dakota Century Code, section 39-10-09, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

105.0908 OVERTAKING VEHICLE ON LEFT GENERALLY

The provisions of North Dakota Century Code, section 39-10-11, and all subsequent amendments, shall be and are hereby incorporated by reference in this chapter.

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:

- a. 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.
- b. 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 his vehicle until completely passed by the overtaking vehicle.

105.0909 WHEN OVERTAKING ON RIGHT IS PERMITTED

The provisions of North Dakota Century Code, section 39-10-12, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
 1. When the vehicle overtaken is making or about to make a left turn; or
 2. Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
- b. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway.

105.0910 LIMITATIONS ON OVERTAKING ON LEFT

The provisions of North Dakota Century Code, section 39-10-13, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable, and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

105.0911 FURTHER LIMITATIONS ON DRIVING ON LEFT OF CENTER OF ROADWAY

The provisions of North Dakota Century Code, section 39-10-14, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No vehicle shall be driven to the left side of the roadway under the following conditions:
 1. When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
 2. When approaching within one hundred feet of or traversing any intersection or railroad grade crossing; or

3. When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct or tunnel.
- b. The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in section 105.0906, nor to the driver of a vehicle turning left into or from an alley, private road or driveway.

105.0912 NO-PASSING ZONES

The provisions of North Dakota Century Code, section 39-10-15, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The State Highway Commissioner and local authorities are hereby authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.
- b. Where signs or markings are in place to define a no-passing zone as set forth in subsection (a) hereof, no driver shall at any time drive on the left side of the roadway with such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.
- c. This section does not apply under the conditions described in section 105.0906 nor to the driver of a vehicle turning left into or from an alley, private road or driveway.

105.0913 DRIVING ON ROADWAYS LANED FOR TRAFFIC

The provisions of North Dakota Century Code, section 39-10-17, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

- a. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- b. Upon a roadway which is divided into three lanes and provides for two-way traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.

- c. Official traffic-control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device.
- d. Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device.

105.0914 FOLLOWING TOO CLOSELY

The provisions of North Dakota Century Code, section 39-10-18, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. 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.
- b. The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger; except, that this shall not prevent a truck or motor vehicle drawing another vehicle from overtaking and passing any vehicle or combination of vehicles.
- c. Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

105.0915 DRIVING ON DIVIDED HIGHWAYS

The provisions of North Dakota Century Code, section 39-10-19, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Whenever any highway has been divided into two or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, unless directed or permitted to use another roadway by official traffic-control devices or police officers. No vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space at a crossover or intersection as established by public authority, unless such crossing is specifically prohibited and such prohibition is indicated by appropriate traffic-control devices.

105.0916 ENTERING OR LEAVING RESTRICTED ACCESS HIGHWAYS

The provisions of North Dakota Century Code, section 39-10-20, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.

105.0917 RESTRICTIONS ON USE OF CONTROLLED-ACCESS ROADWAYS

The provisions of North Dakota Century Code, section 39-10-21, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The commissioner may by order, and the city may by ordinance, with respect to any controlled-access roadway under their respective jurisdictions, prohibit the use of any such roadway by any class or kind of traffic which is found incompatible with the normal and safe movement of traffic.

The State Highway Commissioner or the city, as the case may be, shall erect and maintain official signs on the controlled-access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

105.0918 VEHICLE ENTERING ROADWAY

The provisions of North Dakota Century Code, section 39-10-25, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

105.0919 VEHICLE APPROACHING OR ENTERING INTERSECTION

The provisions of North Dakota Century Code, section 39-10-22, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. When two vehicles approach or enter an intersection from different highways 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.
- b. The right-of-way rule declared in this section is modified at through highways and otherwise as stated in this chapter.

105.0920 OVERTAKING AND PASSING SCHOOL BUS

The provisions of North Dakota Century Code, section 39-10-46, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of a vehicle meeting or overtaking from either direction any school bus stopped on the highway shall stop the vehicle before reaching such school bus when there is in operation on such school bus the flashing red lights specified in North Dakota Century Code, section 39-21-18, and such driver shall not proceed until such school bus resumes motion or he is signaled by the school bus driver to proceed or the flashing red lights are no longer actuated.
- b. Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "school bus" in letters not less than eight inches in height.
- c. Every school bus shall be equipped with red visual signals meeting the requirements of North Dakota Century Code, section 39-21-18, which may be actuated by the driver of such school bus whenever, but only whenever, such vehicle is stopped on the highway for the purposes of receiving or discharging school children. A school bus driver shall not actuate such special visual signals:
 1. On city streets on which the receiving or discharging of school children is prohibited by ordinance;
 2. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
 3. In designated school bus loading areas where the bus is entirely off the roadway.
- d. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

105.0921 UNATTENDED MOTOR VEHICLE

The provisions of North Dakota Century Code, section 39-10-51, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

105.0922 LIMITATIONS ON BACKING

The provisions of North Dakota Century Code, section 39-10-52, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.
- b. The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway.

105.0923 OBSTRUCTION OF DRIVER'S VIEW OR DRIVING MECHANISM

The provisions of North Dakota Century Code, section 39-10-54, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, 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.
- b. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

105.0924 OPENING AND CLOSING VEHICLE DOORS

The provisions of North Dakota Century Code, section 39-10-54.1, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

105.0925 COASTING PROHIBITED

The provisions of North Dakota Century Code, section 39-10-56, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. The driver of any motor vehicle, when traveling upon a down grade, shall not coast with the gears or transmission of such vehicle in neutral.
- b. The driver of a truck or bus, when traveling upon a down grade, shall not coast with the clutch disengaged.

105.0926 FOLLOWING FIRE APPARATUS PROHIBITED

The provisions of North Dakota Century Code, section 39-10-57, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The driver of any vehicle other than one on official business shall not following any fire apparatus traveling in response to a fire alarm closer than

five hundred feet or stop such vehicle within five hundred feet of any fire apparatus stopped in answer to a fire alarm.

105.0927 CROSSING FIRE HOSE

The provisions of North Dakota Century Code, section 39-10-58, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without consent of the fire department official in command.

105.0928 GARBAGE, GLASS, ETC., ON HIGHWAYS PROHIBITED

The provisions of North Dakota Century Code, section 39-10-59, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person shall throw or deposit upon any highway or street any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injury any person, animal or vehicle, or throw or deposit rubbish of any kind upon the highway or street.
- b. Any person who drops, or permits to be dropped or thrown, upon any highway or street any destructive or injurious material shall immediately remove the same or cause it to be removed.
- c. Any person removing a wrecked or damaged vehicle from a highway or street shall remove any glass or other injurious substance dropped upon the highway or street from such vehicle.

105.0929 DRIVING THROUGH SAFETY ZONE PROHIBITED

The provisions of North Dakota Century Code, section 39-10-64, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

105.0930 MOVING HEAVY EQUIPMENT AT RAILROAD GRADE CROSSING

The provisions of North Dakota Century Code, section 39-10-67, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.

- b. Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen feet nor more than fifty feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.
- c. No such crossing shall be made when warning is given by automatic signal or crossing gates or flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

105.0931 ALTERATION OF ODOMETERS, HOUR METERS, ETC.

The provision of North Dakota Century Code, section 39-21-51, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Any person altering a motor vehicle odometer or other mileage recorder, hour meter, tachometer or other hour recorder for the purpose of deceiving another shall be guilty of an infraction.

105.0932 OPEN BOTTLE LAW; PENALTY

The provisions of North Dakota Century Code, section 39-08-18, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No person shall drink or consume alcoholic beverages, as defined in the North Dakota Century Code, in or on any motor vehicle when such vehicle is upon a public highway or in an area used principally for public parking. No person shall have in his possession or on his person while in or on a private motor vehicle upon a public highway or in an area used principally for public parking, any bottle or receptacle containing such alcoholic beverages which has been opened, or the seal of which has been broken, or the contents of which have been partially removed. It shall be unlawful for the owner of any private motor vehicle or the driver, if the owner be not then present in or on the motor vehicle, to keep or allow to be kept in a motor vehicle when such vehicle is upon the public highway or in an area used principally for public parking any bottle or receptacle containing such alcoholic beverages which has been opened, or the seal of which has been broken, or the contents of which have been partially removed, except when such bottle or receptacle shall be kept in the trunk of the motor vehicle when such vehicle is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers. The provision of this section shall not prohibit the consumption or possession of alcoholic beverages in a house car, as defined by section 1-1, if the consumption or possession occurs in the area of the house car used as sleeping or living quarters and that area is separated from the driving compartment by a solid partition, door, curtain or some similar means of separation; however, consumption is not authorized while the house car is in motion. Any person violating the provisions of this section shall be assessed a fee of twenty dollars; however, the licensing authority shall not

record the violation against the driving record of such person unless he was the driver of the automobile at the time that the violation occurred.

105.0933 PERMITTING UNAUTHORIZED MINOR TO DRIVE

No person shall cause or knowingly permit his child or ward under the age of eighteen years to drive a motor vehicle upon any highway when such minor is not authorized under the laws of this state.

105.0934 PERMITTING UNAUTHORIZED PERSON TO DRIVE

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized under the laws of this state.

105.0935 DRIVING UPON SIDEWALK

No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

Article X. Pedestrians' Rights and Duties.

105.01001 OBEDIENCE TO TRAFFIC CONTROL DEVICES AND TRAFFIC REGULATIONS

The provisions of North Dakota Century Code, section 39-10-27, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. A pedestrian shall obey the instructions of any official traffic-control device specially applicable to him, unless otherwise directed by a police officer.
- b. Pedestrians shall be subject to traffic and pedestrian-control signals as provided for in sections 105.0403 and 105.0405.

105.1002 RIGHT-OF-WAY IN CROSSWALKS

The provisions of North Dakota Century Code, section 39-10-28, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- b. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- c. Subsection (a) of this section shall not apply under the conditions stated in subsection (b) of section 105.01103.

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

105.01003 CROSSING OTHER THAN AT CROSSWALKS

The provisions of North Dakota Century Code, section 39-10-29, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. 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.
- b. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
- c. Between adjacent intersections at which traffic-control devices are in operation pedestrians shall not cross at any place except in a marked crosswalk.
- d. No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

105.01004 DRIVERS TO EXERCISE DUE CARE

The provisions of North Dakota Century Code, section 39-10-30, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Notwithstanding the foregoing provisions of this chapter, 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 proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

105.01105 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS

The provisions of North Dakota Century Code, section 39-10-32, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

105.01006 USE OF ROADWAYS

The provisions of North Dakota Century Code, section 39-10-33, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- b. Where a sidewalk is not available, any pedestrian walking along and upon a highway or street shall walk only on a shoulder, as far as practicable from the edge of the roadway.
- c. Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway or street shall walk as near as practicable to an outside edge of the roadway and, if on a two way roadway, shall walk only on the left side of the roadway.
- d. Except as otherwise provided for in this chapter, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

105.01007 RIGHT-OF-WAY ON SIDEWALK

The provisions of North Dakota Century Code, section 39-10-33.1, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The driver of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk.

105.01008 PEDESTRIANS TO YIELD TO AUTHORIZED EMERGENCY VEHICLES

The provisions of North Dakota Century Code, section 39-10-33.2, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Upon the immediate approach of an authorized emergency vehicle making use of an audible signal by bell, siren or exhaust whistle and displaying a visible flashing, revolving or rotating blue, white or red light, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.
- b. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

105.01009 BLIND PEDESTRIAN TO HAVE RIGHT-OF-WAY

The provisions of North Dakota Century Code, section 39-10-33.3, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

The driver of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.

105.01010 PEDESTRIANS UNDER INFLUENCE OF ALCOHOL OR DRUGS

The provisions of North Dakota Century Code, section 39-10-33.4, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

A pedestrian who is under the influence of alcohol or any drug to a degree which renders himself a hazard shall not walk or be upon a roadway.

105.01011 BRIDGE AND RAILROAD SIGNALS

The provisions of North Dakota Century Code, section 39-10-33.5, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

105.01012 SOLICITING RIDES OR BUSINESS

The provisions of North Dakota Century Code, section 39-10-34, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person shall stand in a roadway for the purpose of soliciting a ride.
- b. No person shall stand in a roadway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.
- c. No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

Article XI. Motorcycles.

105.01101 APPLICABILITY OF TRAFFIC LAWS

The provisions of North Dakota Century Code, section 39-10.2-01, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application.

105.01102 RIDING ON MOTORCYCLES

The provisions of North Dakota Century Code, section 39-10.2-02, and all subsequent amendments, shall be and are hereby incorporated by reference in this chapter.

- a. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a 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 or side of the operator.
- b. A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.
- c. No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.
- d. No operator shall carry any person, nor shall any person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

105.01103 OPERATING MOTORCYCLES ON ROADWAYS LANED FOR TRAFFIC

The provisions of North Dakota Century Code, section 39-10.2-03, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. All motorcycles are entitled to a full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to the operation of motorcycles two abreast in a single lane as authorized in subsection (d) hereof.
- b. The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- c. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.
- d. Motorcycles shall not be operated more than two abreast in a single lane.
- e. Subsections (b) and (c) above shall not apply to police officers in the performance of their official duties.

105.01104 CLINGING TO OTHER VEHICLES

The provisions of North Dakota Century Code, section 39-10.2-04, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on a roadway.

105.01105 FOOTRESTS

The provisions of North Dakota Century Code, section 39-10.2-05, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with foot rests for such passengers.

105.01106 EQUIPMENT FOR RIDERS

The provisions of North Dakota Century Code, section 39-10.2-06, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. No person under the age of eighteen years shall operate or ride upon a motorcycle unless protective head gear, which complies with standards established by the Motor Vehicle Department, is being worn on the head of the operator and rider, except when participating in a lawful parade. If the operator of a motorcycle is required to wear protective head gear, any passenger must also wear protective head gear regardless of the age of the passenger.
- b. No person shall operate a motorcycle within the city limits when such person has a passenger upon such motorcycle under the age of fourteen years unless such passenger or person who rides upon such motorcycle wears protective head gear which complies with standards established by the Motor Vehicle Department, except when participating in a lawful parade.
- c. This section shall not apply to persons riding within an enclosed cab or on a golf cart.

105.01107 OTHER APPLICABLE LAW

The provisions of North Dakota Century Code, section 39-10.2-07, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

All of the provisions of Article XX of this chapter derived from North Dakota Century Code, chapter 39-06.1, pertaining to the disposition of traffic offenses, shall apply to this article.

Article XII. Bicycles.

105.01201 EFFECT OF REGULATIONS

- a. It is a violation of this article for any person to do any act forbidden or fail to perform any act required in this article.
- b. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

- c. Those regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

105.01202 APPLICABILITY OF TRAFFIC LAWS

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application.

105.01203 OBEDIENCE TO TRAFFIC-CONTROL DEVICES

- a. Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer.
- b. Whenever authorized signs are erected indicating that no right, left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

105.01204 RIDING ON SIDEWALKS

- a. No person shall ride a bicycle upon a sidewalk within a business district.
- b. The Chief of Police or authorized person may erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.
- c. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

105.01205 RIDING ON ROADWAYS AND BICYCLE PATHS

The provisions of North Dakota Century Code, section 39-10.1-05, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- b. Persons riding bicycles upon a roadway shall not ride more than one abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

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

105.01206 CLINGING TO VEHICLES

The provisions of North Dakota Century Code, section 39-10.1-04, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No person riding upon any bicycle, coaster, rollerskates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway, except a sled being pulled by a snowmobile.

105.01207 CARRYING ARTICLES

The provisions of North Dakota Century Code, section 39-10.1-06, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

No persons operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

105.01208 LAMPS AND OTHER EQUIPMENT

The provisions of North Dakota Century Code, section 39-10.1-07, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Every bicycle, when in use at night, shall be equipped with a lamp on the front which shall emit a light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the motor vehicle department. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

105.01209 RIDING ON BICYCLES; MOTORIZED BICYCLES; AGE OF OPERATOR

The provisions of North Dakota Century Code, sections 39-10.1-03 and 39-10.1-07, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- b. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- c. No person under fourteen years of age may operate a motorized bicycle.

105.01210 PARKING

No person shall park a bicycle upon a street other than upon the roadway againsts the curb, upon the sidewalk in a rack to support the bicycle, against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

105.01211 PENALTIES

Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than fifty dollars or by impoundment of such person's bicycle for a period not to exceed ninety days or by any combination thereof.

105.01212 POINT SYSTEM NOT APPLICABLE

The provisions of North Dakota Century Code, section 39-10.1-08, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

Any violation of the provisions of this chapter, or any moving violation as defined in section 105.02009, when committed on a bicycle as defined in section 105.0101, shall not be cause for the licensing authority to assess points against the driving record of the violator pursuant to North Dakota Century Code, section 39-06.1-10. Any other legally authorized penalty for a criminal traffic offense or noncriminal traffic violation shall be applicable to bicyclists.

Article XIII. Angle Parking.

105.01301 GENERALLY

The city engineer or other person authorized by the governing body may mark or sign streets upon which angle parking will be permitted (other than federal aid or state highways). Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

Article XIV. Stopping, Standing or Parking Generally.

105.01401 OUTSIDE OF BUSINESS OR RESIDENCE DISTRICTS

The provisions of North Dakota Century Code, section 39-10-47, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Upon any highway or street outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway or street when it is practicable to stop, park or so leave such vehicle off such part of such highway or street, but in every event an obstructed width of the highway or street of not less than twelve feet opposite a standing vehicle shall be left for the free passage of the vehicles and a clear view of such stopped vehicles shall be available from a distance of two hundred feet in each direction upon such highway or street.
- b. This section and sections 105.01404 and 105.01405, shall not apply to the driver of any vehicle which is disabled while on the paved or

main-traveled portion of a highway or street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

105.01402 REMOVAL OF ILLEGALLY STOPPED VEHICLES--AUTHORITY OF POLICE OFFICERS

The provisions of North Dakota Century Code, section 39-10-48, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Whenever any police officer finds a vehicle standing upon a highway in violation of any of the provisions of section 105.01401, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main-traveled part of such highway.
- b. Whenever any police officer finds a vehicle unattended upon any highway, bridge or crossway, or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.
- c. Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:
 1. A report has been made that such vehicle has been stolen or taken without the consent of its owner;
 2. The person or persons in charge of such vehicle are unable to provide for its custody or removal;
 3. When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay; or
 4. Whenever a snow emergency condition is declared and parking is prohibited.

105.01403 SAME--GENERALLY

Whenever a vehicle remains parked or left standing on any street, alley or public way where such parking is prohibited by this code or other ordinance of the city, such vehicle shall be removed by or under the direction of the police department to some location selected by the police department, until the costs of such removal and storage have been paid. The cost of removal of such vehicle shall be the actual cost to the city of such removal; in addition there shall be further taxed as costs the amount of fifty cents per day for storage of such vehicle by the police department. It shall be unlawful for any person to take or attempt to take such vehicle from the place where it is stored.

If such vehicle is not claimed within one month after removal by the police department, such vehicle may be disposed of or sold in the manner provided by law for the disposal or sale of unclaimed motor vehicles.

105.01404 PROHIBITED IN CERTAIN PLACES

The provisions of North Dakota Century Code, section 39-10-49, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

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

- a. On a sidewalk;
- b. In front of a public or private driveway;
- c. Within an intersection;
- d. Within ten feet of a fire hydrant;
- e. On a crosswalk;
- f. Within ten feet of a crosswalk at an intersection;
- g. Within fifteen feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
- h. Between a safety zone and the adjacent curb or within fifteen feet of points on the curb immediately opposite the ends of a safety zone, unless the State Highway Department or the city indicates a different length by signs or markings;
- i. Within fifteen feet of the nearest rail of a railroad crossing;
- j. 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 such entrance when properly signposted;
- k. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- l. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- m. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- n. At designated firelanes appropriately marked.

No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

105.01405 ADDITIONAL PARKING REGULATIONS

The provisions of North Dakota Century Code, section 39-10-50, and all subsequent amendments, shall be and are hereby incorporated by reference in this section.

- a. Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within twelve inches of the right hand curb or as close as practicable to the right edge of the right hand shoulder.
- b. The city may permit angle parking on a roadway; except, that angle parking shall not be permitted on any federal-aid or state highway without first obtaining the written authorization of the State Highway Commissioner.
- c. The State Highway Department with respect to highways under its jurisdiction may place official traffic-control devices prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand or park any vehicle in violation of the restrictions indicated by such devices.
- d. No person shall park, allow to stand or stop a vehicle so as to constitute or precipitate a fire hazard.

105.01406 WHERE PROHIBITED AT ALL TIMES

When signs are erected giving notice thereof, it shall be unlawful for any person to park or leave standing any motor vehicle, either attended or unattended.

105.01407 PARKING OF CERTAIN TRUCKS PROHIBITED IN RESIDENTIAL AREAS

No person shall park any truck or vehicle rated larger than two ton with single axle, except for purposes of loading or unloading merchandise or material, upon any street or public way in any area zoned residential.

105.01408 PARKING FOR CERTAIN PURPOSES PROHIBITED

No person shall park a vehicle upon any roadway for the principal purpose of:

- a. Displaying such vehicle for sale.
- b. Washing, greasing or repairing such vehicle except repairing such vehicle necessitated by emergency.

105.01409 STOPPING, ETC., IN CONGESTED OR HAZARDOUS PLACES

The city engineer or other person designated by the governing body is hereby authorized to determine and designate by proper signs places in which the

stopping, standing or parking of vehicles would create an especially hazardous condition or could cause unusual delay to traffic.

When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

105.01410 PARKING, ETC., IN ALLEYS

No person shall park a vehicle within an alley, nor shall he stop a commercial vehicle so as to leave available less than twelve feet of the width thereof for free movement of vehicular traffic, nor shall he stop in such position as to block the driveway entrance to any abutting property.

105.01411 PARKING ADJACENT TO SCHOOLS

- a. The city traffic engineer or authorized person may erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
- b. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

105.01412 PROHIBITED ON NARROW STREETS

- a. The city traffic engineer or authorized person may erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty feet.
- b. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any street in violation of any such sign.

Article XV. Reserved Parking Areas.

105.01501 GENERALLY

No person shall, when signs are erected giving notice thereof, park or leave standing, either attended or unattended, any motor vehicle on street areas which are reserved for the following temporary uses: Loading and unloading, bus parking, guest parking, taxi parking, emergency parking, no parking, police or fire use.

The city engineer or authorized person shall establish from time to time areas for loading and unloading, bus parking, guest parking, taxi parking, emergency parking, no parking, police and fire use on such public streets in such places and in such number as he shall determine or as the governing body may specifically designate to be of greatest benefit and convenience to the public and to promote the best use of the streets for traffic and pedestrians and designate the same by appropriate signs.