

## CHAPTER 7.01: MOTOR VEHICLES AND TRAFFIC

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### **GENERAL PROVISIONS**

#### **§ 7.01.001 DEFINITIONS AND RULES OF CONSTRUCTION.**

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

***DRIVER.*** The operator of a vehicle.

***HIGHWAY*** or ***STREET.***

(1) The entire width between property or right-of-way 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 the purposes of vehicular traffic.

(2) The terms ***HIGHWAY*** or ***STREET*** or a combination of the 2 terms shall be used synonymously.

***INTERSECTION.*** The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral edge of roadway lines of 2 or more streets which join 1 another at any angle whether or not 1 street crosses the other. Where a highway includes 2 roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection.

***LOCAL STREET.*** A street within the town that is not part of the state highway system.

***MOTOR VEHICLE.*** Every vehicle that is self-propelled and every vehicle designed to run upon the highways that is pulled by a self-propelled vehicle.

**OPERATOR.** A person in actual physical control of a vehicle that is in motion or which has the engine running.

**PARKING or STANDING.** A vehicle is parked or standing when it is stopped and allowed to remain in a fixed location for any duration of time, whether attended or unattended. Except where the context clearly indicates otherwise, the limitations on parking and standing in this chapter apply only to locations within a street right-of-way. In no case do these limitations apply when a vehicle is stopped to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device or as a result of an emergency or because the vehicle is disabled.

**ROADWAY.** That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes 2 or more separate roadways, the term **ROADWAY** as used herein shall refer to any **ROADWAY** separately but not all roadways collectively.

**STREET.** See **HIGHWAY.**

**TRAFFIC CONTROL DEVICE.** Any sign, signal, marking or other device placed or erected pursuant to a lawfully adopted ordinance and designed to regulate, warn, guide or control traffic.

**VEHICLE.** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this chapter, bicycles shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this chapter applicable to the driver of a vehicle except those which by their nature can have no application. (Prior Code, Ch. 7, Art. I, § 1)

#### **§ 7.01.002 BICYCLE OPERATION.**

(A) Every person operating a bicycle upon a public street shall ride as near to the right hand side of the roadway as practicable.

(B) When riding at night, all bicycles shall be equipped with lights and reflectors as provided in G.S. § 20-129(e).

(C) No bicycle shall be used to carry more persons at 1 time than the number for which it is designed and equipped.

(Prior Code, Ch. 7, Art. V, § 18) Penalty, see § 1.01.999

#### **§ 7.01.003 UNLICENSED MOTOR VEHICLE OPERATION PROHIBITED.**

(A) No unlicensed motorized vehicle except mopeds (as described in General Statutes) and motorized wheelchairs or similar vehicles not exceeding 1,000 pounds gross weight, may be operated on the streets or highways of the town.

(B) No unlicensed motorized vehicles shall be operated by anyone under 16 years of age on the streets or highways of the town.

(Prior Code, Ch. 7, Art. V, § 19) Penalty, see § 1.01.999

**§ 7.01.004 SCHOOL BUSES.**

The driver of any vehicle upon approaching from any direction on the same street any school bus (including privately owned buses transporting children), while the bus is displaying its mechanical stop signal, or is stopped for the purpose of receiving or discharging passengers, shall bring his vehicle to a full stop before passing or attempting to pass a bus, and shall remain stopped until the mechanical stop signal has been withdrawn or until the bus has moved on. The requirements of this section apply regardless whether the street involved contains or is separated by a dividing space, median or other physical barrier separating the lanes of travel.  
(Prior Code, Ch. 7, Art. V, § 20) Penalty, see § 1.01.999

***TRAFFIC CONTROL*****§ 7.01.015 UNLAWFUL PASSING.**

The driver of any vehicle shall not overtake and pass any other vehicle proceeding in the same direction when:

(A) The driver's view is obstructed within a distance of 500 feet;

(B) Any other conditions exist which make passing hazardous; and

(C) The street is marked by signs, markers or markings, including but not limited to a solid stripe or line along the left side of the traveled lane, stating or indicating that passing should not be attempted.

(Prior Code, Ch. 7, Art. II, § 4) Penalty, see § 1.01.999

**§ 7.01.016 SPEED LIMITS.**

Whenever a speed limit has been established for any street and appropriate signs giving notice thereof have been installed upon the parts of the streets affected, no person may operate a vehicle on that part of the affected street in excess of the posted speed limit.

(Prior Code, Ch. 7, Art. III, § 11-1) Penalty, see § 1.01.999

**§ 7.01.017 PARKING PROHIBITED IN CERTAIN LOCATIONS; NO SIGNS REQUIRED.**

No person may park any vehicle or permit it to stand in any of the following locations:

(A) As provided in G.S. § 20-162, in front of a private driveway;

(B) As provided in G.S. § 20-162, within 15 feet of either direction of a fire hydrant (whether or not located in a public right-of-way) or the entrance to a fire station;

(C) As provided in G.S. § 20-162, within 15 feet of the intersection of curb lines, or if none, then within 15 feet of the intersection of property lines at an intersection of highways;

(D) Within an intersection or on a marked crosswalk;

(E) On a sidewalk,

(F) In any portion of a roadway intended to carry traffic at the time the vehicle is parked or left standing;

(G) In all medians;

(H) In any alley or private road in a manner or under conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular travel or to block the driveway entrance to any abutting property; and

(I) On the shoulder of any street or highway where off road parking is provided unless the parking space of the off road parking is filled.

(Prior Code, Ch. 7, Art. IV, § 15) Penalty, see § 1.01.999