

CHAPTER 72: VEHICLE STANDARDS AND EQUIPMENT

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GENERAL PROVISIONS

§ 72.01 LICENSE PLATES.

No person shall operate or drive a motor vehicle on the streets, roadways or alleys of the city unless such vehicle shall have a distinctive number assigned to it by the Secretary of State, and two number plates bearing such number conspicuously displayed, horizontally and in an upright position, one on the front and one on the rear of such vehicle, each securely fastened, and such plates shall at all times, as far as is reasonably possible, be kept clear and free of mud, ice and snow so as to be clearly visible. (Prior Code, § 10.04.500) Penalty, see § 72.99

§ 72.02 HORNS AND WARNING DEVICES.

Every motor vehicle when operated upon the city streets shall be equipped with a horn in good working order capable of emitting a sound audible under normal conditions from a distance of at least 200 feet, and it is unlawful, except as otherwise provided in this section, for any vehicle to be equipped with or for any person to use upon any vehicle any siren, or any compression or spark plug whistle or any exhaust horn or whistle which does to produce a harmonious sound, or for any person at any time to use a horn otherwise than as a reasonable warning, or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device. (Prior Code, § 10.04.510) Penalty, see § 72.99

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§ 72.03 MUFFLER; SMOKE.

No person shall operate a motor vehicle upon the streets, roadways or alleys of the city unless such motor vehicle is provided with a muffler, which at all times is kept closed so that the exhaust is effectively muffled. No person shall operate a motor vehicle in such a manner as to emit unnecessary or excessive smoke from the motor of such vehicle. (Prior Code, § 10.04.520) Penalty, see § 72.99

§ 72.04 BRAKES AND SIGNALING DEVICE.

Every motor vehicle shall be provided with adequate brakes in good working order and sufficient to control such motor vehicle at all times when same is in use and with an adequate bell or horn or other device for signaling. (Prior Code, § 10.04.530) Penalty, see § 72.99

§ 72.05 LIGHTS.

A motor vehicle in motion, during the period from half an hour after sunset to half an hour before sunrise, shall display at least two lighted lamps on the front of such motor vehicle, one on each side of the vehicle. Such lamps must conform to state law; provided that a motorcycle or a motor bicycle shall be required to display only one lighted lamp in front and one in the rear. (Prior Code, § 10.04.540) Penalty, see § 72.99

§ 72.06 DIMMING HEADLIGHTS.

No person shall use headlights or side lights upon any vehicle on any street unless the same are dimmed in such a way as to prevent the lights being dazzling or blinding to persons using the streets. Whenever a motor vehicle meets another vehicle on any street it shall be mandatory to tilt the head lamps downward subject to requirement that the tilted lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernable a person 75 feet ahead, but shall not project a glaring or dazzling light to persons in front of the vehicle. (Prior Code, § 10.04.550) Penalty, see § 72.99

§ 72.07 SIZE AND WEIGHT OF VEHICLE AND LOAD.

No person shall drive or operate any vehicle upon any street the maximum width and length of which and the gross weight of which, including load, does not comply with the requirements of the state law governing such vehicle. The driver or operator of any vehicle in the city shall upon the verbal request of a city employee cause the vehicle to be weighed at a weigh scale located in the city. (Prior Code, § 10.04.560) Penalty, see § 72.99

§ 72.08 USE OF DYNAMIC BRAKE DEVICE PROHIBITED.

(A) Except as provided in this section, the use or operation of a dynamic braking device on unmuffled vehicles is hereby prohibited within this municipality

(B) A *DYNAMIC BRAKING DEVICE* is a device used on vehicles that converts the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes. These devices are commonly referred to as "air brakes," "engine brakes," "compression brakes," "Jacob's Brakes," or "Jake Brakes."

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(C) This section shall not apply to municipal emergency vehicles, whether or not responding to an emergency.

(D) As an affirmative defense to a charge of a violating of this section, the driver of the vehicle must prove by a preponderance of the evidence that:

(1) The driver of the vehicle was operating the vehicle in compliance with all applicable laws at the time the unmuffled dynamic braking device was used;

(2) The speed of vehicle was reasonable given all of the relevant circumstances; and

(3) The driver believed that the use of the unmuffled dynamic braking device was necessary to either:

(a) Avoid an imminent threat to the safety of the driver or any other person; or

(b) Avoid an imminent threat to property.

(4) The driver's belief as to the necessity for using the unmuffled dynamic braking device was objectively reasonable. Penalty, see § 70.99

EMERGENCY VEHICLES; FIRE REGULATIONS

§ 72.20 EXEMPTION TO AUTHORIZED EMERGENCY VEHICLES.

The provisions of this title regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles while the operator of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others. (Prior Code, § 10.04.570)

§ 72.21 EMERGENCY VEHICLE EXCEEDING SPEED LIMIT TO GIVE WARNING OF APPROACH.

The speed limit set out in this title shall not apply to authorized vehicles when responding to emergency calls, provided the driver thereof sounds an audible signal by siren or horn and the vehicle is equipped with two lighted red lights or a rotary red flasher which are displayed to the front. This provision 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 street nor shall it protect the driver of any such vehicle from the consequences of a reckless disregard for the safety of others. (Prior Code, § 10.04.580)

§ 72.22 CROSSING FIRE HOSE.

No vehicle shall be driven over any unprotected fire hose of the Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire without the consent of the Fire Department official in charge. (Prior Code, § 10.04.590) Penalty, see § 72.99

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§ 72.23 FOLLOWING FIRE APPARATUS.

It is unlawful for the operator of any vehicle, other than one on official business, to follow closer than 500 feet of any emergency vehicle, or to park or leave standing any vehicle within 400 feet of any emergency vehicle. (Prior Code, § 10.04.600) Penalty, see § 72.99

§ 72.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 70.99.

(B) A vehicle which violates state requirements concerning gross weight or gross weight loaded restrictions shall be subject to a fine not exceeding \$200.
(Prior Code, § 10.04.560)