

TITLE 7 – TRAFFIC REGULATIONS

[TRAFFIC REGULATION SDCL 9-31]

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CHAPTER 7.01 – GENERAL PROVISIONS

- 7.0101 Definitions. When in this Title the following terms are used they shall have the meanings respectively ascribed to them in this Section.
- A. "Authorized Emergency Vehicle" – Vehicles of any fire department, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the City Council.
 - B. "Crosswalk" – That portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.
 - C. "Intersection" – The area embraced within the prolongation of a lateral curb line, or if none, then the lateral boundary lines of two (2) or more streets or highways which join one (1) another at an angle whether or not one (1) such street or highway crosses the other.
 - D. "Law Enforcement Officer" – Any police officer or other law enforcement personnel approved by the City Council to enforce the provisions of the ordinances of the City.
 - E. "Motor Vehicle" – Every vehicle, as herein defined, which is self-propelled.
 - F. "Operator" – Any person who is in actual physical control of a vehicle.
 - G. "Parking" – The standing of a vehicle whether attended or unattended, upon a roadway or street otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals.

- H. "Vehicle" – Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- 7.0102 Duty to Enforce. It shall be the duty of law enforcement officers to enforce these traffic regulations and all of the state vehicle laws applicable to street traffic in the City, to make arrests for traffic violations, to investigate accidents and to cooperate with other officials in the administration of these traffic laws. (SDCL 9-29-19)
- 7.0103 Directing Traffic. Law enforcement officers shall direct traffic in conformance with traffic laws and ordinances, provided that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, Fire Department Personnel may direct traffic, as conditions may require. (SDCL 9-29-19)
- 7.0104 Obedience to Enforcement. No person shall refuse or fail to comply with any lawful order, signal or direction of any law enforcement officer, or refuse to submit to any lawful inspection or fail to comply with the provisions or requirements of any warning ticket issued under this Title. (SDCL 9-29-19)
- 7.0105 Exemptions 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, exempt the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.
- 7.0106 Application to Workers and Equipment. The provisions of this Title shall not apply to persons, motor vehicles and other equipment while actually engaged in work upon the surface of a street, but shall apply to such persons and vehicles when traveling to or from such work; provided however, such persons and vehicles shall not indiscriminately block traffic, but shall allow reasonable room on the traveled portion of the street for other vehicles to pass.
- 7.0107 Authority to Install Traffic Control Devices. The City Council shall place and maintain traffic control signs, signals and devices when and as required under this Title to make effective provisions of said Title, and may place and maintain such additional traffic control devices as may be necessary to regulate traffic. (SDCL 32-14-5)
- 7.0108 Obedience to Traffic Control Devices. The operator of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed or held in accordance with the provisions of this Title unless otherwise directed by a law enforcement officer subject to the exceptions granted the driver of an authorized emergency vehicle in this Chapter.

CHAPTER 7.02 – OPERATION OF VEHICLES

- 7.0201 Driver's License Required. It shall be unlawful for any person to drive or operate upon any of the streets or highways within the City any motor vehicle without first having secured and having in his possession a valid license to do so. (SDCL 32-12-22)
- 7.0202 License Plates. No person shall operate or drive a motor vehicle within the City without having conspicuously displayed thereon number license plates as required by state law, securely fastened and which shall be kept free from mud, dirt or other obstruction so that the numbered license plates shall be clearly legible by other persons upon the highway.
- 7.0203 Drive on Right Side of Street. Upon all streets the operator of a vehicle shall drive the same upon the right half of the street and shall drive a slow-moving vehicle as closely as possible to the right-hand edge or curb of a street unless it is impractical to travel on such side of the street, and except when overtaking and passing another vehicle subject to the limitations applicable to overtaking and passing set forth in this Title. (SDCL 32-26-1)
- 7.0204 Vehicles Shall Not Be Driven on Sidewalk. The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (SDCL 32-26-21.1)
- 7.0205 Operation of Vehicles on Approach of Authorized Emergency Vehicle. Upon the approach of any authorized emergency vehicle or vehicles giving audible signal by bell, siren or exhaust whistle, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by a police officer.
- It shall be unlawful for the driver of any vehicle, other than one on official business, to follow (closer than 500 feet) any fire apparatus, or to park any vehicle within the block where such fire apparatus has stopped to answer a fire alarm. It shall be further unlawful for the driver of any vehicle to drive over any unprotected hose of the Fire Department without the consent of authorized personnel. (SDCL 32-31-7)
- 7.0206 Backing Around Corners or into Intersection Prohibited. It shall be unlawful for the operator of any vehicle to back such vehicle around a corner at an intersection or into an intersection of public streets. (SDCL 32-30-20)
- 7.0207 Reckless Driving. No person shall drive any vehicle upon a street, avenue, or alley carelessly and heedlessly in disregard of the rights or safety of others, or without due caution, and at a speed or in a manner so as to endanger or be likely to endanger any person or property. (SDCL 32-24-1)
- 7.0208 Careless Driving. No person shall drive any vehicle carelessly and without due caution, at a speed or in a manner so as to endanger any person or property, not amounting to reckless driving as defined in the previous section. (SDCL 32-24-8)

- 7.0209 Exhibition Driving. No person shall drive any vehicle within the limits of the City in such a manner that creates or causes unnecessary engine noise, tire squeal, skid or slide upon acceleration or stopping; or that simulates a temporary race, or that causes the vehicle to unnecessarily turn abruptly or away. (SDCL 32-24-9)
- 7.0210 Right-of-Way at Intersection. The right-of-way rule as between vehicles at intersections is hereby declared as follows: (SDCL 32-26-13)
- A. The operator of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has fully entered the intersection.
 - B. When two vehicles approach an intersection at approximately the same time, the operator of the vehicle at the left shall yield the right-of-way to the vehicle on the right.
 - C. The operator of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he or she may otherwise have hereunder.
- 7.0211 U-Turn at Intersection. At any intersection where warned by a traffic control sign displaying the words "No U- Turn", it shall be unlawful for the operator of a vehicle to turn such vehicle at the intersection so as to proceed in the opposite direction. (SDCL 32-26-25)
- 7.0212 Right-of-Way, Left Turn. The operator of a vehicle within an intersection intending to turn to the left 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, but said operator, having so yielded and having given a signal when and as required, may make such left turn and the operators of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn. (SDCL 32-26-18)
- 7.0213 Turning Around in Midblock Prohibited. The operator of a vehicle shall not turn such vehicle so as to park in the opposite direction or so as to proceed in the opposite direction except at an intersection. (SDCL 32-26-25)
- 7.0214 Required Condition of Vehicles. Any vehicle having a loud or offensive muffler shall be considered illegal. Any vehicle not equipped with adequate brakes shall be prohibited from operating in the City. Any motor vehicle operated within the City shall be equipped with operable lights and a horn as required by state law. License plates shall be clearly displayed on each end of vehicle, and shall be kept clean and legible. (SDCL 32-15)
- 7.0215 Action Required at Stop Sign. Except when directed to proceed by a police officer or traffic control signal, every operator of a vehicle approaching a stop intersection indicated by a stop sign shall come to a full stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the operator shall yield the right-of-way to any vehicle which has entered or is approaching the intersection from another highway and shall not

proceed into the intersection until certain that such intersecting roadway is free from oncoming traffic which may affect safe passage. (SDCL 32-29-2.1)

7.0216 Action Required at Yield Sign. The operator of a vehicle approaching a sign authorized by the City Council bearing the word "Yield" or Yield Right-of-Way" shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the roadway on which such operator is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. Said operator having so yielded may proceed and the operators of all other vehicles approaching the intersection shall yield to the vehicle so proceeding. (SDCL 32-29-3)

7.0217 Stop Required Before Operator Entering From Alley, Building or Private Road. The operator of a vehicle emerging from an alley, building, private road or driveway 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 nearest the street to be entered where said operator has a view of approaching traffic thereon. (SDCL 32-29-2.2)

7.0218 Pedestrian's Right-of-Way. The operator of any vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals. Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross a roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle. (SDCL 32-27-1)

CHAPTER 7.03 – SPEED RESTRICTIONS

7.0301 General Restrictions. It shall be unlawful for any person to drive a vehicle on a street or highway at a speed greater than is reasonable and prudent under the conditions then existing or at a speed in excess of those fixed by this Chapter. (SDCL 32-25-16)

7.0302 Speed Zones – Establishment.

- A. The City Council is authorized and empowered to determine and establish upon any public street in the City or any part thereof, limited speed zones which speed limits shall constitute the maximum speed at which any person may drive or operate any vehicle upon such zones, street or highway or portion thereof so zoned, and on which highway the maximum speed permissible in the zone has been conspicuously posted by signs authorized by the Council.
- B. The beginning of such limited speed zones shall be indicated by signs showing the speed limits.

- 7.0303 Maximum Limits Generally. Except as may otherwise be provided by the City Council, it shall be unlawful for any person to operate or drive any vehicle at a rate of speed greater than the following:
- A. Twenty (20) miles per hour within any business district.
 - B. Fifteen (15) miles per hour on any alley.
 - C. Twenty (20) miles per hour within any residential district.
 - D. The appropriate legal maximums established by state law on all other unmarked streets and highways within the City shall be effective.
- 7.0304 School Zones. It shall be unlawful for any person to operate or drive any vehicle at a speed greater than fifteen (15) miles per hour when passing a school during the recess or while children are going to or leaving school during opening or closing hours for such school.

CHAPTER 7.04 – PARKING, STOPPING

- 7.0401 Obstruction of Traffic. No vehicle shall be operated or allowed to remain upon any street under the jurisdiction of the City in such a manner as to form a traffic obstruction. Whenever any police officer finds a vehicle which constitutes a traffic obstruction, such officer shall be authorized to remove such vehicle by towing, if necessary, at the owner's expense, with no liability to the City. (SDCL 32-30-1,2,3)
- 7.0402 Prohibited Parking After Snowfall. In the event of two (2) or more inches of snow thus creating the necessity for the blading and/or removal thereof from City streets, it shall be unlawful for any person to park a motor vehicle or allow a motor vehicle to remain parked on any public street within the City following the initial two (2) inch accumulation of snow.
- 7.0403 Ticketing and Towing Vehicles. Any authorized law enforcement official shall be authorized to ticket and tow away, or have removed and towed away by any commercial towing service, any car or vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency or snow removal vehicle, or in any way in violation with the provisions of this Chapter. Cars towed away for illegal parking shall be stored in a place designated by the City Council and shall be returned to the owner or operator of such car upon payment of a penalty fee as determined by the City Council plus towing charges, within twenty-four (24) hours after the time such car was removed, plus five dollars (\$5.00) for each additional twenty-four (24) hours of fraction thereof. (SDCL 32-30-13,14)
- 7.0404 Abandoned Vehicles. The abandonment of a motor vehicles or other vehicle or any part thereof on any street in the City shall be subject to action and penalties as provided for in this Title and under Chapter 3.0103. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a street, in view of the general public, anywhere in the City shall be prohibited except as specifically allowed under Chapter 3.0103. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for

removal by or upon the order of the City Council after a waiting period of seven (7) days after notice is given to the property owner(s). (SDCL 32-30-12.1)

7.0405 Towing Costs. When a vehicle is removed from either public or private property as authorized by order of the City Council, the owner of the vehicle shall be responsible for all towing costs in addition to the fees provided in Section 7.0403 hereof. In addition, the City shall not be liable for any damages to property or persons incurred as a result of such towing or storage.

7.0406 Parking Prohibited in Certain Places. At any time it shall be unlawful to permit any vehicle to stop, stand, or park in any of the following places, except to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control device: (SDCL 32-30-6,6.1,6.2)

- A. In an intersection.
- B. In a crosswalk.
- C. Within fifteen (15) feet of a fire hydrant.
- D. At any place where the vehicle would block the use of a driveway.
- E. Within twenty (20) feet of the driveway entrance of a fire station and on the side of the street opposite the entrance to any such station within one hundred (100) feet of such entrance.
- F. On any sidewalk.
- G. At any place where the vehicle would block the use of a sidewalk.
- H. In any portion of a street so designated as a fire lane.
- I. In any portion of a street so designated as a traffic lane.
- L. At any place where official signs prohibit parking.
- M. Within twenty (20) feet of a mailbox.

7.0407 General Parking Provisions. No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, or opposite to the flow of traffic. No vehicle shall be parked in the Business District on Broadway Avenue except if such vehicle parked diagonal to the curb with the front wheel touching the curb and the right rear wheel approximately six (6) feet from such curb at approximately forty-five (45) degree angle. It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any business street from which vehicle merchandise is peddled, unless authorized by the City Council. It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property, or on any public property without the consent of the appropriate governmental agency. (SDCL 32-30-6,6.1,6.2)

7.0408 No Parking Areas. The City Council shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions, except that yellow curb painting may be used to indicate "No Parking" in certain street areas. (SDCL 9-31-1)

7.0409 Handicapped Parking Areas. Parking in those areas so designated as handicapped parking areas by signs and pavement striping shall be restricted to those vehicles identified, by window sticker and/or license plate, as being operated by handicapped drivers. Any person without such identification on his or her vehicle who parks in a

70410 Double Parking

handicapped parking area shall be guilty of a misdemeanor. (SDCL 32-30-11.1, 11.2, 11.3, 11.4, 11.6)

- 7.0410 Double Parking. It shall be unlawful for a vehicle to be double parked. For the purposes of this ordinance, the term "double parked" shall mean that situation where one vehicle is parked so as to occupy two designated parking places. (SDCL 32-30-6.1)

CHAPTER 7.05 – TRUCKS

- 7.0501 Definitions. The following word "truck" shall mean and include truck, trailer and semi-trailer, tractor and farm wagon.
- 7.0502 Truck Routes. The City Council may designate streets and highways within the City as truck routes. Said truck routes shall be posted accordingly.
- 7.0503 Operation of Trucks. A truck may not operate on any city street or highway other than a designated truck route unless otherwise permitted by this article.
- 7.0504 Detours. Trucks may operate on any officially established detour of a truck route or street unless such detours are posted prohibiting such operation by trucks.
- 7.0505 Load Limits.
- A. Trucks may operate on any street or highway as long as the gross vehicle weight does not exceed five (5) tons.
 - B. Trucks whose gross weight is more than five (5) tons may operate only on designated truck routes.
- 7.0506 Police Authority. Any law enforcement officer has the authority to require any person driving or in control of any truck to proceed to any public or private scale for the purpose of weighing and determining whether such truck is in violation of this article or any other Code provision. Such authorities may issue a citation to any motor vehicle that exceeds the limits imposed by this article. Such authorities may detain such vehicles until the weight of such vehicles meets the limits imposed by this article.
- 7.0507 Exceptions to use of truck routes. There shall be the following exceptions to the use of truck routes:
- A. A truck arriving at the end of any designated truck route may be driven over the most direct course to the nearest truck route which extends in the same general direction. A truck may drive on other streets when it is necessary to get to a designation for the purpose of loading or unloading commodities, or for the purpose of towing a disabled or damaged motor vehicle to or from public or private property, and then only by such deviation from the nearest truck route as is reasonably necessary.
 - B. The City Council or the City Maintenance Official shall have the authority, for good cause and upon request, to issue temporary permits for trucks to operate

over routes not established as truck routes by the City Council or to otherwise deviate from the provisions of this article. Such action by the City Maintenance Official shall be subject to review, modification or cancellation by the City Council.

- C. The provisions of the ordinance shall not apply to school buses, the operation of emergency vehicles of law enforcement, fire department or health department, nor to any public utility vehicles engaged in the performance of emergency duties, nor to any vehicle owned by or performing work for the United States, State of South Dakota, City of Valley Springs or political subdivision.
- D. "Trucks" as referred to in this section (except semi-trailers) may deviate from the truck route for the purpose of taking said truck to the owners personal residence or parking facility, but said truck must be parked on the owners real property and not on City streets or City property. In this instance said vehicle may only make one (1) trip to and from owners personal residence or parking facility per day.

7.0508 Street Repair or Construction. Any contractor or material men, while engaged in the repair, maintenance or construction of city streets, utilities or any other authorized City activity is permitted as long as these vehicles only use the city streets within the immediate work area and use the shortest route from the truck route to the work area.

CHAPTER 7.06 – VEHICLE EQUIPMENT

7.0601 Warning Tickets. Any authorized law enforcement officer(s) upon reasonable belief that a vehicle is being operated in violation of any provision of this Title or applicable state law or is in such unsafe condition as to endanger any person, may require the driver of the vehicle to stop and submit to inspection of the vehicle and its equipment, license plates and registration cards and is hereby authorized to issue a warning ticket to any driver whose vehicle is in such violation. Such warning ticket shall clearly designate the provisions, which are being violated and shall provide for notification to law enforcement officials when such violation is corrected by the time specified on the warning ticket.

7.0602 Lights Required. 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 (2) lighted lamps on the front and one on the rear of such motor vehicle, such lamps to conform to the state law; provided that a motorcycle or a motor bicycle shall be required to display but one (1) lighted lamp in front and one (1) in the rear.

7.0603 Headlights Dimmed. No person shall use headlights upon any vehicle on any street unless the same are dimmed in such a way as to prevent the light being dazzling or blinding to persons using the streets.

7.0604 Warning Devices. Every motor vehicle operated or driven in the City shall be provided with a suitable or adequate horn or other device for signaling which shall be in good working order at all times such vehicle is operated on the streets of the municipality.

- 7.0605 Emergency Vehicle Warning Device. Every law enforcement and Fire Department vehicle and every ambulance used for emergency calls shall be equipped with lights and siren. It shall be unlawful for any other vehicle to be equipped with such equipment.
- 7.0606 Red and Blue Lights. Except as to law enforcement or Fire Department vehicles or tow trucks or wreckers operating under such circumstances as may be provided by law, any person who drives or moves any vehicle in the City with any red or blue light thereon visible from directly in front or to the sides thereof shall be guilty of a misdemeanor.
- 7.0607 Brakes. Every motor vehicle shall be provided with foot pedal brakes in good working order and sufficient to control such motor vehicle at all times when same is in use.
- 7.0608 Mufflers. No person shall drive a motor vehicle on any street within the City unless such vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. It shall be unlawful for any person to use a muffler cutout on any motor vehicle within the City.
- 7.0609 Projecting Loads. No person shall drive any vehicle upon any street with any load or part of a load projecting more than four (4) feet beyond the rear end or front ends or more than two (2) feet beyond the sides of the body, or carrying part of such vehicles unless there be attached to the extreme ends and sides of such projecting load some warning sign or signal plainly discernible to other drivers and clearly indicating the projecting parts of such load.
- 7.0610 Weight and Size of Vehicle and Loads. No person shall drive or operate any motor vehicle upon any street the gross weight of which including the load or the size of which do not comply with the requirements of the state law governing such vehicle.
- 7.0611 Windshields Must be Unobstructed. It shall be unlawful for any person to drive any motor vehicle upon any street with the front windshield obstructed or with any signs, posters or other non-transparent material upon the front windshield side wings, sides or rear windows of such motor vehicle other than a certificate or other paper required to be so displaced by law or other temporary driving instruction placed thereon by the manufacture.
- 7.0612 Protection of Load. No motor vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dripping, sifting, leaking or otherwise escaping therefrom except that sand may be dropped for the purpose of securing tractions or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway. No person shall operate on any street any vehicle with any load unless said load and any covering is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

CHAPTER 7.07 – SNOWMOBILES

- 7.0701 Definitions. The following words and phrases, when used in this Chapter, shall have the meanings respectively ascribed to them:
- A. Operate shall mean to control the operation of a snowmobile.
 - B. Owner shall mean any person, other than a lienholder, having the property in or title to a snowmobile and entitled to the use or possession thereof.
 - C. Private property shall mean and include any and all real property, or land within the City, which has not been opened or dedicated for public use or as a public thoroughfare.
 - D. Snowmobile shall mean any engine-driven vehicle of a type, which utilizes sled type runners, wheels or skis with an endless belt tread or similar means of contact with the surface which it is operated.
- 7.0702 Operators License Required. No driver shall operate a snowmobile on a public street in the City without having in his or her possession a valid driver's license.
- 7.0703 Traffic Laws Applicable. The operator of a snowmobile is required to obey the same traffic laws of the state and ordinances of the City, including street and road signs, as the operators of all other motorized vehicles are required to obey.
- 7.0704 Hours of Operation. No person shall operate a snowmobile on private property of their own or another or upon public highways, streets and alleys within the City between the hours of 11:00 p.m. and 7:00 a.m. the following day.
- 7.0705 Permission of Property Owner Required for Operation. No person shall operate a snowmobile on private property of another without the express permission to do so by the owner of occupant of such property.
- 7.0706 Operation on Public Ground and Streets Prohibited. No person shall operate a snowmobile on any public school grounds, public sidewalks, park property, park, roads, playgrounds and recreational areas within the City. Snowmobiles may be operated over snow-covered highways, streets and alleys within the City limits but only for emergency use as defined in 7.0711 or when the operator must travel upon such for purposes of leaving the City and/or when returning to his residence from outside the City. The operator when using any public street, highway or alley in accordance with the above restrictions, shall use the most expeditious and direct route.
- 7.0707 Crossing Streets at Right Angles. Persons operating snowmobiles are permitted to cross streets at right angles but only may do so after stopping and fielding the right-of-way to all approaching traffic and crossing as closely as possible to an intersection or approach.
- 7.0708 Speed. No person shall operate a snowmobile at a speed greater than is reasonable or proper, under all existing circumstances.

- 7.0709 Careless, Reckless or Negligent Operation Prohibited. No person shall operate a snowmobile in a careless, reckless or negligent manner so as to be likely to endanger the person or property of another or to cause injury or damage thereto.
- 7.0710 Loud Noises Prohibited. No person shall operate a snowmobile in such manner as to create any loud unnecessary or unusual noise likely to disturb or interfere with the peace and quiet of any other person.
- 7.0711 Emergency Use.
- A. The City Council may declare that road or weather conditions are such as to constitute emergency travel conditions authorizing use of a snowmobile.
 - B. A snowmobile may also be used when such vehicle is necessary as an emergency vehicle to protect the health, safety and welfare of any individual.
 - C. The operator of a snowmobile under the emergency conditions shall be subject to all existing traffic ordinances of the City and traffic laws of the State.
- 7.0712 Equipment Required. All snowmobiles operated in the City shall have the following equipment:
- A. Mufflers which are properly attached and which reduce the noise of operations of the vehicle to the minimum noise necessary for operating the vehicles and no person shall use a muffler cutout, bypass or similar device on such vehicle.
 - B. Adequate brakes in good working condition.
 - C. A safety or "deadman" throttle in operating condition such being a device which when pressure is removed from the accelerator the throttle causes the motor to disengage from the driving tract.
 - D. At least one headlight and one tail light in good working condition.
- 7.0713 Unattended Vehicles. No owner or operator of a snowmobile shall leave or allow the snowmobile to be or remain unattended on public property or streets while the motor is running, or where the keys for starting the vehicle are left in the ignition.
- 7.0714 Sidewalk Operation Prohibited. No person shall operate a snowmobile upon any public sidewalk in the City.
- 7.0715 Operation Under the Influence. The operator of a snowmobile shall be deemed the driver or operator of a motor vehicle and be subject to South Dakota law relating to driving while under the Influence of intoxicating liquor, drugs or otherwise therein provided and such operator shall be punishable for any violation of such laws.
- 7.0716 Towing. No person operating a snowmobile shall tow any person or object behind such snowmobile except when such person or object is situated upon a conveyance, which is attached to such snowmobile by means of a rigid hitch or tow bar.
- 7.0717 Exception. Notwithstanding the provisions of any other Section, any governmental official in charge of public school ground, park property, playgrounds, public golf courses or parking lots shall have authority to supervise and regulate events or

programs conducted thereon or to designate areas under his charge and supervision as recreation areas that he shall deem available for use of snowmobiles and the hours of such use.

CHAPTER 7.08 - MISCELLANEOUS PROVISIONS

- 7.0801 Clinging to Moving Vehicles. No person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicles shall cling to or attach himself or such vehicle to any other moving vehicle upon any street.
- 7.0802 Riding on Outside of Vehicles. No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to persons riding within truck bodies in space intended for merchandise.
- 7.0803 Tampering with Vehicles. Any person who shall tamper with the motor vehicle of another, with intent to injure the same or cause inconvenience to the owner thereof, or who shall take and operate the motor vehicle of another without the consent of the owner or person lawfully in charge thereof, under such circumstances as not to constitute larceny, shall be guilty of a misdemeanor.
- 7.0804 Immediate Notice of Accident. The operator of a vehicle involved in an accident resulting in injury to or death of any person, or resulting in any property damage, shall immediately by the quickest means of communication give notice of such accident to a law enforcement officer. (SDCL 32-34-7)
- 7.0805 When Driver Unable to Report. An accident report shall not be required from any person who is physically incapable of making such report during the period of such incapacity. Whenever the operator of a vehicle is physically incapable of making such report or is physically incapable of giving an immediate notice of an accident and there is another occupant in the vehicle at the time of the accident capable of doing so, such occupant in the vehicle at the time of accident shall cause to be given the notice not given by the operator. (SDCL 32-34-8,9)
- 7.0806 Duty to Give Information, Render Aid. The operator of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the license number of the vehicle he is driving, and shall upon request and if available, exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. (SDCL 32-34-3)
- 7.0807 Personal Injury. The operator of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in

every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 7.0806. (SDCL 32-34-7)

- 7.0808 Property Damage. The operator of any vehicle involved in an accident, resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 7.0706. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor. (SDCL 32-34-6)
- 7.0809 Unattended Vehicle, Property. The operator of any vehicle which collides with any vehicle or other property which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall attach securely in a conspicuous place in or on the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof. Such driver shall without unnecessary delay notify a law enforcement officer of such accident. (SDCL 32-34-4)
- 7.0810 Duty Upon Striking Fixtures. The operator of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a street shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's license and shall make report of such accident when and as required in Section 7.0708 or statute. (SDCL 32-34-4)
- 7.0811 Duty Upon Striking Animal. The operator of any vehicle which collides with any dog or domestic animal causing injury thereto shall stop and attempt to ascertain the owner of such animal and shall notify a law enforcement officer of such accident.
- 7.0812 Manner of Arrest. Except in cases of driving while intoxicated or under the influence of intoxicating liquor, or any stupefying or exhilarating drug and except in the more serious and aggravated cases of speeding or careless and reckless driving and except when reasonably necessary to secure appearance, a person charged with a violation of this Title by a law enforcement officer need not be arrested in the regular manner, but may first be given an opportunity after notice to appear voluntarily to answer for such traffic violation.
- 7.0813 Notice to Appear. A person charged with a violation of this Title by notice shall be given notice to appear before the court of competent jurisdiction at the time or within the time stated in such notice, and that in event of failure to do so a warrant will be issued for his arrest.

The notice shall state the name, description and address of the offender, if known, the nature and date of the offense and a description of the vehicle involved in the

violation by trade name and license number. The notice shall be signed by the law enforcement officer executing it.

If the person charged with the offense is available, he shall be given an opportunity to sign an agreement to appear to answer the charge at the time and place specified in the notice which form of agreement shall be a part of the notice, and if he shall refuse to sign such agreement then he shall be placed under arrest for the offense in the manner otherwise provided by law.

- 7.0814 Appearance and Deposit for Fine. A person who has received a notice of traffic violation shall at or within the time specified in such notice, appear before the court of competent jurisdiction to answer to the charge set forth therein according to the procedures of that court.

In cases of non-moving violations and cases of failure to stop at a stop street, sign or signal which are not serious and aggravated cases, the person charged shall appear at the office of the Clerk of Courts and upon making the deposit for fine as authorized by the court and a statement authorizing the Clerk of Courts to enter his plea of guilty to the offense he shall not be required to appear in court.

- 7.0815 Attest on Failure to Appear. Upon the failure of a person to appear in response to a notice of traffic violation he shall be subject to arrest in the manner otherwise provided by law.

- 7.0816 Repair of Vehicle with Reportable Damage Prohibited Unless Required Notice Affixed. The person in charge of any garage or repair shop shall not commence repair on any motor vehicle which shows evidence of having been involved in a reportable accident or struck by any bullet unless the vehicle bears the notice provided for in SDCL 32-34-23.

- 7.0817 Off-road Vehicles; Operation on Highway Prohibited. No person may operate on a public street or highway any off-road vehicle except for crossing from one (1) side of the road to the other. A person may operate an off-road vehicle in a highway ditch if the vehicle is operated as close as possible to the outer edge of the highway right-of-way. However, no person may operate an off-road vehicle except a snowmobile in a highway ditch that is designated as part of the state snowmobile trails system pursuant to SDCL 41-19.