§10.77. Vehicle operators to stop.

Except when otherwise directed by a police officer or a special traffic control signal, every driver of a vehicle approaching a stop sign shall come to a full stop before entering the crosswalk on the near side of the intersection; or, if there is no crosswalk, he shall stop at the stop line; or, if there is no stop line either, he shall stop as close as possible to the nearest point of the intersection.


§10.78. Minister may designate stop intersections.

The Minister may designate through highways and erect signs or other traffic control devices at specified entrances thereto. He may also designate stop intersections on other roadways and erect stop signs or other traffic control devices at one or more entrances to such intersections.


Subchapter G. STOPPING, STANDING, AND PARKING

§10.80. Stopping, standing, or parking outside of business or residence areas.

1. Stopping, standing, or parking forbidden. Upon any highway 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 when it is practicable to stop, park, or so leave such vehicle on such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of 200 feet in each direction upon such highway.

2. Exception. This section shall not apply to the driver of any vehi-
cle which is disabled while on the paved or main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.


§10.81. Stopping, standing, or parking prohibited in specified places.

1. Obstructing traffic or view. It is unlawful for any vehicle operator to park his vehicle on a street or highway so as to block traffic or on a curve or grade or near an intersection so that the view of approaching vehicles is obstructed.

2. Other places forbidden. Except as otherwise required to prevent the obstruction of traffic or to comply with lawful statutes, regulations, directions of a police officer, or traffic signs or signals, it shall be unlawful to stop, stand, or park a vehicle in any of the following places:

(a) Within an intersection;
(b) Within 20 feet of a crosswalk at an intersection;
(c) On any crosswalk;
(d) Between a safety zone and the adjacent curb or within 30 feet of the points on the curb immediately opposite the ends of a safety zone (unless the police indicate a different length by signs or marking);
(e) Within 30 feet on the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a highway;
(f) In front of a public or private driveway;
(g) On a sidewalk;
(h) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
(i) Between any vehicle stopped, standing, or parked at the edge or curb of a street and the center of the street;
(j) Within 15 feet of a fire hydrant;
(k) Within 20 feet of the driveway entrance to a fire station on the same side of the street as the station and, on the opposite side, within 75 feet of such entrance (provided such entrance is properly posted or marked);
(l) Within 50 feet of the nearest rail of a railway grade crossing;
(m) Upon a bridge or elevated structure on a highway or within a tunnel;
(n) Where traffic signs or markers prohibit stopping, standing, or parking;
(o) In any traffic lane of a street inside a business or residential area (even if the vehicle is parked there for repairs).

3. Moving vehicle not lawfully under person's control. No person shall move a vehicle not lawfully under his control into any area prohibited by this section or away from the curb such distance as is unlawful.

4. Posting of signs by Minister. The Minister may post signs prohibiting or restricting stopping, standing, or parking of vehicles at any place on the public highway where it is deemed that stopping, standing, or parking would unduly interfere with the free movement of traffic.


§10.82. Removal of vehicle parked in forbidden place.

Any police officer who finds a vehicle parked or standing where it constitutes an obstruction to traffic or where stopping, standing, or parking is prohibited may 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 road or main-traveled part of such highway. If the vehicle is unattended and there is no nearby place available to park the vehicle, the police officer may cause its removal to a garage, automobile pound, or other place of safety. The owner or other person lawfully entitled to the possession of such vehicle may be charged with a reasonable cost for removal and storage, payable before the vehicle is released.


§10.83. How vehicles shall be parked legally.

1. Parallel to curb. In business and residential areas vehicles shall be parked facing in the direction of the flow of traffic with the wheels on the right side parallel to and no more than 12 inches from the
curb or, where there is no curb, from the edge of the road or abutting sidewalk.

2. **Angle parking.** Angle parking shall not be permitted unless the Minister has determined that the roadway is sufficiently wide to permit such parking without obstructing the free movement of traffic and has so posted the areas where it is permitted.

3. **Precautions to be observed on parking vehicle.** The driver or person in charge of a motor vehicle shall park and leave such vehicle unattended only if the engine has been stopped, the ignition has been locked and the key removed therefrom, the brake has been set, and, if the vehicle is on a grade, the front wheel has been turned toward the curb or edge of the highway.

*Prior legislation: 1957–58 Supp. 37:552(1), (2), (4); L. 1956–57, ch. XXXIV, art. XXVIII, §4(a), (b); art. XXIX, §1.*

§10.84. When parked vehicles shall display lights.

1. **When no lights are necessary.** When a vehicle is parked on a street or highway during the hours between half an hour after sunset and half an hour before sunrise and there is sufficient light to reveal any person or object on such road within a distance of 500 feet, no lights need be displayed by the parked vehicle.

2. **When lights are necessary.** When a vehicle, whether or not attended, is parked on or alongside a road during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object on the road within a distance of 500 feet, such parked car shall exhibit a white light on the left-hand side (that is, the side toward the center of the road) of the rear, which light shall be visible for a distance of 500 feet to the rear. Any lighted head lamps on a parked vehicle shall be depressed or dimmed.


§10.85. Signals to be displayed by disabled vehicles.

1. **Fuses or lanterns.** Whenever any motor vehicle (including a trailer of any kind) other than a passenger automobile is disabled on the traveled portion of any highway outside the business or residential
area of any municipality or on the shoulder thereof, the driver of such
vehicle shall display the warning devices specified in this paragraph
at all times when lighted lamps are required, under the provisions of
section 6.30 of this title. When the vehicle becomes disabled, the driver
shall immediately place a lighted fuse or triangular reflector on the
side of the vehicle which is closest to passing traffic; provided, how-
ever, that an electric lantern may be used in lieu thereof, and shall be
used in the case of disabled vehicles subject to the provisions of para-
gegraph 2. Before the fuse burns out, and as quickly as possible in any
case, the driver shall place three lighted flares (pot torches) or three
electric lanterns on the roadway as follows: one approximately 100
feet ahead of the vehicle; one approximately 100 feet behind the ve-
icle; and one on the side of the vehicle closest to passing traffic,
about 10 feet in front of the vehicle if traffic in the closest lane ap-
proaches it from the front, and about 10 feet to the rear if traffic in
the closest lane approaches it from the rear. In the alternative, in lieu
of flares or lanterns, three portable reflector units on standards, which
units are of a type approved by the Minister, may be displayed at the
place, in the manner, and under the conditions specified for lighted
flares.

2. Vehicle transporting flammable liquids or gases. When a vehicle
used in the transportation of, or transporting flammable liquids in bulk
or compressed flammable gases is disabled on any road or the shoulder
thereof, the operator of the vehicle shall immediately display on the
highway the following warning devices: one red electric lantern on
the side of the vehicle closest to passing traffic; one red electric lan-
tern approximately 100 feet in front of the disabled vehicle; one red
electric lantern approximately 100 feet to the rear of the vehicle. The
use of any fuse, flare, or other signal produced by flame is absolutely
forbidden when a vehicle of the type described in this paragraph is
disabled.

3. Types of flares, fuses, or lanterns. All flares, fuses, and lanterns
required to be displayed by this section shall meet the specifications
established by the relevant sections of chapter 6 of this title.

4. Red flags. At all times when lighted lamps are not required, the
driver of the vehicle of the type referred to in paragraph 1 which is
disabled upon the traveled portion of a highway or the shoulder
thereof outside of any municipality shall display two red flags on the
road in the lane occupied by the disabled vehicle or nearest to the
shoulder which it occupies, one flag about 100 feet in front of the
vehicle and the other about 100 feet to the rear. In the alternative, the
driver may display three portable reflectors in the place and manner
and under the conditions specified in paragraph 1.

art. XXXIV, §1.

Subchapter H. DRIVING UNDER THE INFLUENCE
OF ALCOHOL OR DRUGS

§10.90. Offenses related to use of intoxicating liquor and
drugs.

1. Driving while under influence of liquor or narcotic drugs. It is
unlawful for any person to operate a motor vehicle while his ability
to operate such vehicle is impaired by the consumption or use of al-
cohol or a narcotic drug, as such drugs are defined in the Narcotic
Drug Control Act.

2. Habitual use of narcotic drugs. It is unlawful for any person who
is an habitual user of narcotic drugs to operate a motor vehicle.

3. Driving while under influence of drug not narcotic. It is unlaw-
ful for any person to operate a motor vehicle who is under the influ-
ence of any drug not a narcotic to a degree which renders him dizzy
or incapable of driving safely.

4. Right to use drug not a defense. That a person is or has been en-
titled to use a drug under the laws of the Republic does not constitute
a defense against any charge against him under this section in which
the use of such drug or driving while under its influence is an element.

5. Penalty. A person who violates the provisions of this section is
subject to a fine of not more than $1,000 or imprisonment for not more
than one year.

art. XIV, 1st par., §§1, 3(e), (f); 1956 Code 37:108; L. 1924–25, ch.
VIII, art. 10, §16.

§10.91. Presumptions on prosecution for violation.

In a criminal prosecution for operating a motor vehicle while his
ability to operate such vehicle is impaired by the consumption of al-
cohol, the amount of alcohol in the defendant’s blood at the time al-
leged, as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance, shall give rise to the following presumptions:

(a) If there was at the time alleged 0.05 percent or less by weight of alcohol in the defendant's blood, urine, breath, or other bodily substance, it shall be presumed that the defendant's ability to operate such vehicle was not impaired by the consumption of alcohol;

(b) If there was at the time alleged more than 0.05 percent but less than 0.15 percent by weight of alcohol in the defendant's blood, urine, breath, or other bodily substance, such fact shall not give rise to any presumption that the defendant's ability to operate a motor vehicle was or was not impaired by the consumption of alcohol, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

(c) If there was at the time alleged 0.15 percent or more by weight of alcohol in the defendant's blood, urine, breath, or other bodily substance, it shall be presumed that the defendant's ability to operate a motor vehicle was impaired by the consumption of alcohol.

The foregoing provisions of this section shall not be construed as requiring that evidence of the amount of alcohol in the defendant's blood must be presented, nor shall they be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant's ability to operate a motor vehicle was impaired by the consumption of alcohol.


§10.92. Authority to make chemical tests with regard to defendant.

1. Operating vehicle as consent. Any person who operates a motor vehicle on any public road, street, or highway or on any privately owned or controlled roads open to public use, shall be deemed to have given his consent to the taking of samples of his breath, urine, or blood, or any or all, for the purpose of making chemical tests to determine the content of alcohol in his blood; provided that the taking of samples is made in accordance with the provisions of this subchapter and at the request of a police officer who has reasonable
grounds to believe that such person has been operating a motor vehicle in violation of the provisions of paragraph 1 of section 10.90 of this title while his ability to operate such vehicle was impaired by the consumption or use of alcohol.

2. Record of test. A record of the taking of any such sample, disclosing the date and time thereof, as well as the result of any chemical test, shall be made and a copy thereof, upon his request, shall be furnished or made available to the person so tested.

3. Independent tests. In addition to the samples taken and tests made at the direction of a police officer under the provisions of this section, the person tested may have such samples taken and chemical tests of his breath, urine, or blood made by a physician or other person of his own selection.

4. Information to be given person tested. The police officer shall inform the person tested of his rights under paragraphs 2 and 3 of this section.

5. Forcible tests prohibited. No chemical test, as provided in this section, or specimen necessary thereto, may be made or taken forcibly and against physical resistance thereto by the defendant.

§10.93. Method of analysis.

Chemical analysis of the arrested person's breath, to be considered valid under the provisions of this subchapter, shall have been performed according to methods approved by the Minister, and by a person approved and certified for this purpose by the Minister.

§10.94. Refusal to submit to test.

If an operator of a motor vehicle, after being arrested for a violation of paragraph 1 of section 10.90 of this title, refuses to submit to the chemical test provided for in section 10.91 of this title when requested to do so, the arresting officer shall cause to be delivered to the Minister his sworn report of such refusal in which report he shall specify the circumstances surrounding the arrest and the grounds upon which his belief was based that the person was operating a motor vehicle in violation of paragraph 1 of section 10.90 of this title. Upon receipt of such report, it the Minister finds that the arresting officer acted in accordance with the provisions of this subchapter, he shall,
upon written notice, suspend the operator’s license of such person, or if such person is a nonresident, the privilege to operate a motor vehicle within Liberia, unless such person, within 10 days of the date of such notice shall have requested, in writing, a hearing before the Minister. Upon such request, the Minister or his delegate shall hold a hearing on the issues of whether the arresting officer had reasonable grounds to believe the person was at the time of the arrest operating a motor vehicle in violation of paragraph 1 of section 10.90 of this title while his ability to operate such vehicle was impaired by the consumption or use of alcohol, and whether he refused to submit to the test upon the request of the officer. If no such hearing is requested within the time allowed, or if after a hearing the Minister or his delegate finds against the person on such issues, he shall revoke the license of such person to operate motor vehicles or, if the person is a nonresident, his privilege to operate a motor vehicle within Liberia, for a period of one year from the date of the determination, or if such person is a resident without an operator’s license, the Minister shall deny to such person the issuance of any such license within one year from the date of the determination. Such revocation shall be independent of any revocation imposed by virtue of a conviction under the provisions of section 2.61(b) of this title.

Subchapter I. PEDESTRIAN’S RIGHTS AND DUTIES

§10.100. Duties of pedestrians generally.

Every pedestrian shall obey the traffic signs, signals, and lights of intersections, as provided in subchapter F of this chapter, unless otherwise directed by a traffic officer on duty at an intersection. Before crossing a highway or entering an intersection, a pedestrian shall first ascertain the proximity of approaching vehicles. In the absence of any traffic control device or traffic officer, every pedestrian shall comply with the provisions of this subchapter and with other provisions of this title relating to pedestrians.

§10.101. Control of traffic in safety zones and crosswalks.

1. Establishment of safety zones and crosswalks. The Minister shall cause to be established safety zones and crosswalks at intersections in all municipalities and at pedestrian crossings on the public highways.

2. Stopping of vehicles forbidden. No vehicle shall stop in a safety zone or crosswalk established in accordance with the provisions of this section.

3. Pedestrian's right of way in crosswalk. When traffic control signs, signals, or lights are not in place or not operating, every vehicle driver shall yield the right of way, slowing down or stopping if necessary, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the other half of the roadway as to be in danger; provided, however, that no pedestrian shall suddenly leave a curb or safety zone or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

4. Walking to right. Pedestrians shall walk, whenever practicable, upon the right half of a crosswalk.


§10.102. Pedestrians to use crosswalks.

Every pedestrian shall strictly comply with the directions of any sign or other official traffic control signal that prohibits pedestrians from crossing any street in a business district or any designated highway except at a crosswalk. No pedestrian shall cross a roadway between adjacent intersections at which traffic control signals or lights are in operation except in a marked crosswalk.


§10.103. Crossing in absence of crosswalk.

Every pedestrian who crosses a highway at any point other than within a marked crosswalk or who crosses an intersection within an
unmarked crosswalk shall yield the right of way to all vehicles on the roadway. Whenever a pedestrian crosses a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided, he shall yield the right of way to all vehicles on the roadway.


§10.104. Vehicle operators to exercise due caution.

Notwithstanding the provisions of this subchapter requiring a pedestrian under certain circumstances to yield the right of way to a vehicle, every vehicle operator shall exercise due care to avoid colliding with any pedestrian upon any roadway, and he shall give proper warning by sounding his horn when necessary. He shall exercise extra precautions upon observing any child or any confused or incapacitated person upon a highway.


§10.105. Stopping vehicle before sidewalk.

The driver of a vehicle emerging from an alley, driveway, or building within a business or residential district shall stop his vehicle immediately before driving onto the sidewalk or sidewalk area extending across such driveway, alley, or building entrance and shall yield the right of way to any pedestrian on or entering such sidewalk or sidewalk area.


§10.106. Pedestrians walking along road.

When sidewalks are provided, it shall be unlawful for any pedestrian to walk on or along or adjacent to any highway rather than on the sidewalk. When sidewalks are not provided, every pedestrian shall, whenever practicable, walk on the outside left edge of the highway or its shoulder, facing oncoming traffic, if he finds it necessary to go along the highway.

§10.107. Soliciting rides forbidden.

No person shall stand on any roadway for the purpose of soliciting a ride from the driver of any vehicle.


§10.108. Penalty.

A pedestrian who violates any of the provisions of this subchapter shall be subject to a fine of $5.

Subchapter J. SPECIAL VEHICLES

§10.110. Marking on school buses.

Every bus used for the transportation of school children shall bear upon the front and rear thereof a plainly visible sign with letters not less than eight inches high reading “School Bus.” When such a bus is being operated for any purpose other than the actual transportation of school children on any highway to which the provisions of this title are applicable, all markings thereon indicating that it is a school bus shall be covered or otherwise concealed.


§10.111. Regulations governing school buses.

I. Promulgation. The Minister shall promulgate and enforce regulations not inconsistent with the provisions of this title to govern the design and operation of all school buses, whether owned and operated by any agency of the government or by private individuals under contract with any agency of the government or by private individuals under contract with any school authority in the Republic. Such regulations shall by reference be made a part of any school bus contract between any private owner or operator and any school authority. School authorities, their officers and employees, and their agents shall be subject to such regulations.
2. Effect of violation. Any officer, employee, or agent of any school authority who violates any of such regulations shall be guilty of official misconduct and subject to removal from office or employment. A violation of such regulations by any person owning or operating a school bus under contract with a school authority shall constitute a breach of his contract, and such contract shall be cancelled after notice and hearing by the responsible officers of the school authority.


§10.112. Riders on motorcycles.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto. The operator shall not carry another person, nor shall any other person ride on a motorcycle, unless it is designed to carry more than one person; in this case the passenger may ride upon the permanent and regular seat, if it is designed for two persons, or upon another seat firmly attached behind or beside the operator.


§10.113. Connections for towing vehicles.

When one vehicle is towing another, the drawbar or other connection shall have sufficient strength to pull all the weight towed thereby. Such drawbar or other connection shall not exceed 15 feet from one vehicle to the other; provided, however, that the restriction as to length shall not apply to the connection between two vehicles transporting poles, pipes, machinery, or other objects of structural nature which cannot readily be dismembered.


§10.114. White cloth to be displayed on connection.

When one vehicle is towing another by a connection consisting of a chain, rope, or cable, there shall be displayed on such connection a white flag or cloth not less than 12 inches square.
§10.115. Application of title to bicycles.

Except as otherwise specifically provided by this subchapter, the provisions of this title shall apply to persons riding bicycles to the extent that they can be reasonably applied. Except as otherwise expressly provided, the provisions of this subchapter shall apply to bicycles which are operated on any highways to which this title is applicable or upon any path set aside for the exclusive use of bicycles.


§10.116. Riders on bicycles.

1. Seats for riders. Every person who propels a bicycle shall ride upon or astride a permanent and regular seat attached thereto, and shall not sit upon any other part of the bicycle.

2. Limit on number of persons. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.


§10.117. Limit on bundles carried on bicycle.

No person who is riding a bicycle shall carry a package, bundle, or article which prevents the rider from keeping at least one hand on the handlebar.


§10.118. Use of paths and roads by bicycles.

1. Bicycle path to be used. Whenever a usable path has been provided for bicycles adjacent to a road, bicycle riders shall use the path and shall not use the roadway.

2. Riding near curb on road. Every person who operates a bicycle
upon a roadway shall ride as near as possible to the right-hand curb, exercising due care when passing a standing vehicle or one proceeding in the same direction.

3. Riding abreast. Persons riding bicycles shall not ride more than two abreast except on paths or parts of highways set aside for the exclusive use of bicycles.


§10.119. Bicycle equipment prescribed.

1. Lamps and lighting devices. It shall be unlawful to use a bicycle at night which is not equipped with (a) a lamp on the front which shall emit a white light visible for a distance of at least 500 feet ahead; and (b) a red reflector on the rear of a type approved by the Minister which shall be visible at a distance of from 50 to 300 feet to the rear when the lawful upper beams of a motor vehicle's head lamps shine upon it. At the discretion of the rider a bicycle may also be equipped with a lamp emitting a red light visible 500 feet to the rear, in addition to the required reflector.

2. Sound signaling devices. Every bicycle shall be equipped with a bell, horn, or other device capable of giving a signal audible from a distance of at least 100 feet; provided, however, that no bicycle shall be equipped with, nor shall any person use upon any bicycle, any siren or whistle.

3. Brakes. Every bicycle shall be equipped with a brake which will enable the rider to make the braked wheel stop short on dry, level, clean pavement.


§10.120. Attachments to vehicles.

No person on any bicycle, coaster, roller skates, or toy vehicle shall attach it or himself to any vehicle upon a roadway.

§10.121. Responsibility of parents and guardians.

No parent of any child nor guardian of any ward shall authorize or knowingly permit such child or ward to violate any of the provisions of this subchapter.


Subchapter K. PRESERVATION OF ROADS

§10.130. Limitation on kinds of tires.

No person shall operate, drive, or move on any highway to which this title is applicable any motor vehicle or trailer of any kind whatever which has a metal tire in contact with the roadway. No tire of any vehicle being operated, driven, or moved on any highway to which this title is applicable shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the thread of the traction surface of the tire; provided, however, that it is permissible to move farm machinery on the highways if such machinery has protuberances which will not injure the highway; and provided further that it is permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of mud or other conditions tending to cause a vehicle to skid.


§10.131. Special permission to move certain vehicles.

The Minister may in his discretion issue special permits authorizing the operation or moving upon a highway to which this title is applicable of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such tracks or of farm tractors or other farm machinery, the operation or moving of which on such highways would otherwise be illegal.
§10.132. Depositing objects injurious to roadway.

No person shall throw or deposit on any highway to which this title is applicable or on the shoulder thereof any thing or substance of any sort which is injurious to the road. Any person who deposits or throws or permits to be deposited or thrown any such thing or substance on such highway or shoulder thereof shall immediately remove it or cause it to be removed.


§10.133. Preservation of life of road.

No person shall dig up, excavate, obstruct, place any earth upon, or build a fence upon, any portion of a highway to which this title is applicable, or any public sidewalk, or cause any such act to be committed without legal authorization therefor. Each day that a violation of this section continues shall be considered a separate offense.


§10.134. Driving over closed road.

No vehicle shall pass over any road which is closed to traffic for construction or repair. A suitable sign and barricade shall be considered sufficient notice that a road is closed.


§10.135. Penalty for violation of subchapter.

A person guilty of a violation of this subchapter is subject to a fine of not more than $100.
Subchapter L. MISCELLANEOUS RULES

§10.150. Following too closely.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the highway, and he shall at all times have his vehicle under such control that he can safely stop it in case of a sudden decrease in speed or stop by any vehicle which he is following.


§10.151. Backing vehicle.

The driver of a vehicle shall not back such vehicle unless such operation can be made with reasonable safety and without interfering with other traffic.


§10.152. Obstruction to driver’s view.

No person shall operate any vehicle when it is so loaded or when there are in the front seat such number of persons 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. In no event shall there be more than three persons in the front seat of any vehicle. No passenger shall ride in such a position in a vehicle that he obstructs the operator’s view to the front or side or interferes with his control of the vehicle’s driving mechanism.


§10.153. Opening and closing vehicle doors.

No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall
any person leave a door open on the side of a vehicle available to mov-
ing traffic for a period of time longer than necessary to load or unload
passengers.

§10.154. Driving on mountain highways.

The driver of a motor vehicle traveling through defiles or canyons
or on mountain highways shall hold such motor vehicle under control
as near the right-hand edge of the highway as reasonably possible. On
approaching any curve where the view is obstructed within a distance
of 200 feet along the highway, the driver shall give audible warning
with the horn of the motor vehicle.

art. XXIX, §5.

§10.155. Coasting forbidden.

The driver of any vehicle shall not coast down any grade with the
gears of such vehicle in neutral. The driver of a commercial vehicle
shall not coast down any grade with the clutch disengaged.

art. XXIX, §6.

§10.156. Heavy machinery at railroad grade crossings.

1. Limitations on moving certain types of vehicles across railroad
tracks. It shall be unlawful, except upon compliance with the provi-
sions of subparagraphs 2 and 3 of this section to move upon or across
any tracks at any railroad grade crossing any crawler-type tractor,
steam shovel, derrick, roller, or any equipment or structure having
a normal operating speed of 10 or fewer miles per hour or a vertical
body or load clearance of less than one-half inch per foot of the dis-
tance between any two adjacent axles or in any event of less than
nine inches measured above the level surface of a roadway.

2. Notice of intended crossing. Notice of any such intended cross-
ing shall be given to the supervising agent of such railroad a reason-
able time in advance so that the railroad may have an opportunity to
provide proper protection at such crossing.

3. Stopping before crossing. Before making any such crossing the
operator of such vehicle or equipment shall stop same not less than 15 nor more than 50 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such tracks for any approaching train or signal indicating the approach of a train. He shall proceed only if the crossing can be made safely; he shall not proceed when warning is given by automatic signal, crossing gate, flagman, or otherwise of the immediate approach of a train. When there is a flagman at the crossing, the operator of the vehicle or equipment shall proceed under his direction.


§10.157. Following fire apparatus.

No operator of any vehicle, except a person on official business in connection therewith, shall follow closer than 500 feet behind any fire apparatus proceeding in response to a fire alarm or park within one block of the place where the fire apparatus has stopped in response to a fire alarm.


§10.158. Driving over a fire hose.

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway to be used at any fire or in connection with a fire alarm unless permission has been granted by the fire department's official in command.


§10.159. Sound signals.

The operator of a motor vehicle shall give audible warning by means of his vehicle horn when such warning is necessary to ensure the safety of himself or others; but use of the horn is forbidden except as herein prescribed.

§10.160. Protection of highway users.

1. **Throwing things on highways.** No person shall throw or deposit or drop on any public highway any bottles, glass, nails, tacks, wire, cans, or any other thing or substance which is likely to injure any person, animal, or vehicle upon the highway. Any person who throws, deposits, or drops, or permits to be thrown, deposited, or dropped upon any public highway any destructive or injurious thing or substance (including, but not limited to, anything listed above) shall immediately remove same or cause it to be removed.

2. **Scattering of load.** No vehicle shall be so used or so loaded as to permit its load to be scattered over the road in such a way as to obstruct traffic or damage the road. In no case shall refuse, garbage, or vegetable matter be scattered over the road.

3. **Requirements on removing wrecked vehicle.** Any person who removes a wrecked or damaged vehicle from a public highway shall remove all glass and other injurious substances deposited on the highway from such vehicle.

4. **Unattended animals.** No domestic animal or beast of burden or draft animal shall be allowed to run loose and unattended upon the public highway.

5. **Obstruction of roads.** No person shall block or obstruct any road by placing thereon any farm implement or other machinery or obstruction except when such road is legally closed for repair or construction or when legal authorization is obtained for proper reasons.

6. **Penalty for violation of section.** A person guilty of violating this section is subject to a fine of not more than $100.


§10.161. Controlled-access roadways.

1. **Entrances and exits.** No person shall drive any vehicle onto or off from any controlled-access roadway except at such entrances and exits as are established by the Minister.

2. **Limitations on use.** Use of controlled-access roadways may be prohibited to pedestrians, bicycles, or other nonmotorized traffic and
also to motorcycles. Signs shall be erected and maintained on such roadways giving notice of any such limitations on their use.


§10.162. Unauthorized riders.

No person shall ride on any vehicle without the consent of the driver.


Chapter 11. ADMINISTRATION

§11.1. Motor Vehicle Bureau; Director.

The Motor Vehicle Bureau in the Ministry of Justice shall be the chief administrative agency overseeing the enforcement of the provisions of this title. The head of the Bureau shall be the Director of Motor Vehicles, who shall be appointed as provided in the Executive Law. He shall be assisted by a Deputy Director and as many officers and employees as are necessary for the effective operation of the Bureau.


Chapter 12. VIOLATIONS: TRAFFIC TICKETS

Subchapter A. Traffic Infractions

§12.1. Traffic infractions defined; general procedure applicable to prosecution.

§12.2. Penalty for traffic infraction.

§12.3. Previous violations as infractions.

§12.4. Service of notice to appear for parking violation.
Subchapter B. Traffic Tickets
§12.50. Authorization to Minister.
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§12.52. Report by printer of traffic tickets.
§12.54. Procedure for court.
§12.55. Report by Director to Minister.

Subchapter A. TRAFFIC INFRACTIONS

§12.1. Traffic infractions defined; general procedure applicable to prosecution.

A violation of any provision of this title or any law, ordinance, or regulation regulating traffic which is not a felony or misdemeanor as defined in the Penal Law is a traffic infraction. A traffic infraction is not a crime and the punishment imposed therefor shall not be deemed for any purpose a penal or criminal punishment, and shall not affect or impair the credibility as a witness or otherwise of any person convicted thereof. A traffic infraction is, however, an offense within the meaning of that term as used in the Criminal Procedure Law, and the procedure provided by that title for prosecution of misdemeanors shall be applicable to the prosecution of traffic infractions, except that
(a) no jury trial shall be accorded the defendant; and (b) a notice to appear in the case of a parking violation may be served as provided in section 12.4 of this title.


§12.2. Penalty for traffic infraction.

A traffic infraction for which no other penalty is prescribed by this title or by other law shall subject the offender to a fine of not more than $25.

§12.3. Previous violations as infractions.

All violations which were committed prior to the effective date of this title and which would, if committed subsequent to the taking effect of this title be included within the meaning of the term “traffic infraction” as herein defined, shall be deemed traffic infractions to which the provisions of this chapter are fully applicable; provided that in no case shall the penalty prescribed for any offense heretofore committed be increased through the application of this section.

§12.4. Service of notice to appear for parking violation.

In the case of a violation of a provision regulating the parking of a motor vehicle, a notice to appear in the form of a traffic ticket or otherwise may be attached by the person issuing the notice in a conspicuous position on such vehicle parked in violation of law, and, if so attached, shall be deemed a valid service on the owner of the vehicle to appear and plead or otherwise answer the charge; provided that service of a notice to appear in the manner herein prescribed shall not constitute valid notice to an owner of a vehicle which was being used at the time of the violation without his consent, express or implied.

Subchapter B. TRAFFIC TICKETS

§12.50. Authorization to Minister.

The Minister is hereby authorized to put into effect a system by which a notice to appear, as provided for in the Criminal Procedure Law, may be required, in the case of a person alleged to have committed a traffic infraction, to be in the form of a traffic ticket issued in accordance with the provisions of this subchapter and regulations promulgated by the Minister thereunder.

§12.51. Serial numbers on tickets; quadruplicate copies.

There shall be conspicuously printed on each ticket a serial number which shall not be used on any other ticket printed within two years thereafter. The serial numbers printed on the tickets shall run in consecutive order. A number of tickets may be bound in a book for issuance to members of the National Police Force. Each ticket shall be printed in quadruplicate.


§12.52. Report by printer of traffic tickets.

Any printer who supplies traffic tickets to the Minister shall make a report to him within five days after shipment, stating that he has sent a shipment of tickets, the date of the shipment, the first and last serial numbers of the tickets shipped, and the serial number of any missing tickets.


The Director of the National Police Force, hereinafter referred to in this chapter as the "Director," shall issue books containing traffic tickets to the police officers assigned to traffic duty, and shall require and retain a receipt for each book, showing the serial numbers of the tickets in the book. Each police officer to whom a book of tickets is assigned shall be responsible for all the tickets he receives; and for every ticket issued to an alleged traffic offender, he shall return a duplicate to the Director and the triplicate and quadruplicate to the court where the alleged offender has been notified to appear. If a ticket is spoiled or if it is marked but not issued, the police officer to whom it was assigned shall return the original and copies to the Director. A police officer who loses a ticket shall file with the Director a complete report concerning the loss of the ticket.