

CHAPTER 19

TRAFFIC REGULATIONS

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Section 19.1 Highway Regulatory Act Adopted

Pursuant to the authority conferred by L.R.S. Title 32:41(c) the Village of Folsom adopts the provisions of L.R.S. Title 32 Chapter 1 (Louisiana Highway Regulatory Act), and all regulations of the state department of highways and the director of public safety adopted pursuant thereto, except such provisions and regulations as by their nature have no application, and except as otherwise provided in this code.

Section 19.2 Definitions

The following terms have the respective meanings ascribed to them in this Section, except in those instances where the context of this ordinance indicates a different meaning:

(1) "Authorized emergency vehicle" means vehicles of the fire department, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the director of the department of highways or by the chief of police of any incorporated municipality.

(2) "Bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than twenty inches in diameter.

(3) "Bus or large passenger vehicle" means every motor propelled vehicle designed for carrying more than ten persons other than a taxicab constructed and designed for transporting persons for commercial purposes.

(4) "Chauffeur" means every person who is employed by another for the principal purpose of driving a motor vehicle, and every person who drives a school bus transporting school children or any motor vehicle when in use for the transportation of persons or property for compensation.

(5) "Combination of vehicles" means every group of two vehicles howsoever joined together which are drawn or propelled by a single motor vehicle.

(6) "Cross-walk" means:

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(7) "Department" means the department of highways.

(8) "Driver" means every person who drives or is in actual physical control of a vehicle.

(9) "Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

(10) "Farm Tractor" means every motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines, and other implements of husbandry.

(11) "Flammable liquid" means any liquid which has a flash point of seventy degrees F., or less, as determined by a tagliabue or equivalent closed-cup test devise.

(12) "Highway" means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries.

(13) "House-trailer" means:

(a) A trailer or semi-trailer which is designed,

constructed and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on highways, or

(b) A trailer or semi-trailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in (a), but which is used instead permanently or temporarily for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(14) "Intersection" means:

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two highways thirty feet or more apart, then every crossing of each highway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two highways thirty feet or more apart, then every crossing of two highways of such highways shall be regarded as a separate intersection.

(c) The junction of an alley with a street or highway shall not constitute an intersection.

(15) "Laned roadway or highway" means a roadway or highway which is divided into two or more clearly marked lanes for vehicular traffic.

(16) "Light-trailer" means every vehicle of the trailer or semi-trailer type having a loaded gross weight of not more than five hundred pounds.

(17) "Local municipal authority" means every council, commission or other board given authority by the constitution and laws of this state to govern the affairs of a municipality.

(18) "Local parish authority" means every police jury, commission, council or other board given authority by the constitution and laws of this state to govern the affairs of a parish of this state.

(19) "Metal tire" means every tire, the surface of which is in contact with the highway, is wholly or partly of metal or other hard, non-resilient material.

(20) "Motor carrier" means any person, owning, controlling, managing, operating, or causing to be used or operated any motor-propelled vehicle used in the business of transportation of persons or property for hire, over the public highways of this State, whether as common carrier, contract, or charter carrier or as a transportation agency of howsoever utilizing said public facilities.

(21) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(22) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower, and every bicycle with a motor attached thereto.

(23) "Municipality" means any incorporated village, town or city created unto the authority of the constitution or laws of this state.

(24) "Operator" means every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(25) "Owner" means a person who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale, lease, or transfer of possession thereof with the right of purchase upon the performance of the conditions stated in the agreement, with the right of immediate possession in the vendee, lessee, possessor, or in the event such similar transaction is had by means of mortgage and the mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee, possessor or mortgagor shall be deemed the owner for the purposes of this Chapter.

(26) "Park or parking" means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passenger.

(27) "Pedestrian" means any person afoot.

(28) "Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(29) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(30) "Residence district" means the territory contiguous to a highway not comprising a business district when the frontage on such a highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

(31) "Right of way" means the privilege of the immediate use of the highway.

(32) "Road tractor" means every motor vehicle designed, constructed or used either by itself or for drawing other vehicles used in the construction and maintenance of roads, highways, or streets, and not so constructed as to carry any load thereon either independently or as a part of the weight of a vehicle or load so drawn.

(33) "Roadway" means that portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of the berm or shoulder.

(34) "Safety zone" means the area or space officially set apart within a highway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(35) "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to and from school.

(36) "Semi-trailer" means every single vehicle without motive power designed for carrying property and passengers and so designed in conjunction and used with a motor vehicle that some part of its own weight and that of its own load rests or is carried by another vehicle and having one carrying axle.

(37) "Sidewalk" means that portion of a highway between the curb lines, or the lateral lines of a highway, and the adjacent property lines, intended for the use of pedestrians.

(38) "Stand or standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

(39) "State-maintained highway" means any highway in this state which is contained in the state highway system as defined by law or which is maintained by the department of highways.

(40) "Stop" means when required, the complete cessation from movement.

(41) "Stop or stopping" means prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(42) "Street" means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries.

(43) "Tandem semi-trailer" means every semi-trailer having two load carrying axles.

(44) "Tandem truck" means every motor propelled single vehicle designed for the conveyance of property or things for hauling purposes and having one front or steering axle and two rear or load carrying axles, even though one of the load carrying axles is not permanently affixed to the frame of the vehicle and may be removed.

(45) "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly together while using any highway for purposes of travel.

(46) "Traffic-control devices" means all signs, signals, markings and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(47) "Traffic-controlled signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(48) "Trailer" means every single vehicle without motive power designed for carrying property or passengers wholly on its own structure, drawn by a motor vehicle, and having two or more load carrying axles.

(49) "Truck" means every motor propelled single vehicle for the conveyance of property or things for hauling purposes and having one front steering axle and one rear or load carrying axle.

(50) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed

as to carry a load other than a part of the weight of the vehicle and load so drawn.

(51) "Vehicle" means every device by which persons or things may be transported upon a public highway or bridge, excepting devices moved by human power or used exclusively upon stationary rails or tracks. A bicycle or a ridden animal shall be a vehicle, and a trailer or semi-trailer shall be a separate vehicle.

Section 19.3 Emergency Vehicles, Exceptions

(a) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this Chapter,

(2) Proceed past a red or stop sign, but only after slowing down or stopping as may be necessary for safe operation,

(3) Exceed the maximum speed limits so long as he does not endanger life or property.

(4) Disregard regulations covering the direction of movement of turning in specified directions.

(c) The exceptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals sufficient to warn motorists of their approach, except that a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(d) The foregoing provision shall not relieve the driver of an authorized vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Section 19.4 Supervision, Regulation, Etc. by Police Chief, Generally

The chief of police shall supervise and regulate all traffic on the public streets; enforce the provisions of this chapter, investigate the public highways and effect methods and practices relative thereto as in his judgment and experience he deems advisable; and enforce them as an exercise of the police power of the Village of Folsom.

Section 19.5 Making and Enforcing Regulations, Permanent and Temporary

The chief of police is hereby empowered to make and enforce regulations necessary to make effective the provisions of this Chapter and to make and enforce temporary regulations to cover emergencies and special conditions.

Section 19.6 Authority to Place Signs, Signals and Markings

The chief of police is authorized, and as to those signs and signals required herein, directed to place and maintain or cause to be placed and maintained all traffic signs and signals with the advice, consent and approval of the board.

Section 19.7 Free Flow of Traffic; Obstruction Prohibited

All persons are prohibited from engaging in driving procedures which obstruct the free flow of traffic in, around, over and through the streets, alleyways and other public ways. Any person is prohibited from stopping his vehicle (except at a stop signal or stop sign, or to honor another driver's right of way, or in an emergency situation) in a manner as to obstruct the free and orderly flow of traffic by the maneuver, or to engage in unduly slow driving procedures so as to obstruct the free flow of traffic or to needlessly "circle the block" or dawdle, or make unnecessarily rapid accelerations and decelerations or to in any other manner constitute a traffic nuisance or hazard.

Section 19.8 Speed Limits Established

(a) No person shall operate any motor vehicle or tractor upon any of the streets and highways at a greater speed than is reasonable and proper having regard to the width, traffic, and use thereof, or so as to endanger the property or life or limb of any person.

(b) The speed limits for the streets or portions of streets are hereby established for those streets, or portions of streets listed in appendix I-A hereby incorporated herein.

Section 19.9 Traffic Signals at Certain Intersections

Official traffic control signals shall be erected (or if heretofore erected are hereby ratified) at the intersections listed in appendix I-B hereby incorporated herein. Traffic at designated intersections shall be directed by signals.

Section 19.10 One-way streets established

Reserved

Section 19.11 Left and/or Right Turns regulated

Reserved

Section 19.12 Stop Intersections Established

The intersections specified in Appendix I-C hereby incorporated herein, are established as stop intersections, and official stop signs shall be erected (or are hereby confirmed if heretofore erected) in a position to face traffic approaching the second-named street upon the first-named street, in the direction or directions therein indicated. All motor vehicles approaching the intersection upon the first-named street in the direction or directions therein indicated in each case, shall come to a full stop, within a reasonable distance, before entering the intersection.

Section 19.13 Yield-Right-Of-Way Intersections Established

Reserved

Section 19.14 Vehicle Weight Limits Established

It is unlawful for any person to operate on any street any motor vehicle, or other vehicle, tractor, trailer, or tractor-trailer combination, having an aggregate or gross weight equal to or greater than the weight specified for that vehicle in Appendix I-D hereby incorporated herein, on the streets and/or highways or portions of streets and highways respectively described therein.

Section 19.15 Vehicle Width Limits Established

It is unlawful for any person to operate on any street any motor vehicle, or other vehicle, tractor, trailer or tractor-trailer combination, having an aggregate or gross width equal to or greater than the width specified for that vehicle in appendix I-E hereby incorporated herein, on the streets and/or highways or portions of streets and highways respectively described therein.

Section 19.16 Vehicles to be parked Within Marked Spaces

Whenever a space is marked off on any roadway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding that space.

Section 19.17 Parking Prohibited at All Times In Certain Locations

It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle in any of the places on the streets and alleys specifically designated in appendix II-A hereby incorporated herein.

Section 19.18 Parking Prohibited in Certain Locations, Certain Days and Hours

It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle in any of the places on the days and between hours indicated and specified in appendix II-B hereby incorporated herein.

Section 19.19 Parking Time limited in Certain locations, Certain Days and Hours

It is unlawful for the owner or operator of any motor vehicle, or other vehicle to park the vehicle or allow the vehicle to remain parking in any of the places on the streets and alleys at any time on the days and between the hours indicated and specified in appendix II-C hereby incorporated herein.

Section 19.20 Special Purpose Parking Zones Established, Parking Otherwise Prohibited

It is unlawful for the owner or operator of any motor vehicle, or other vehicle to park the vehicle or allow the vehicle to remain parked in any location on the streets and alleys established and designated as special purpose parking zones indicated and specified in appendix II-D hereby incorporated herein.

Section 19.21 Inoperative Motor Vehicles

It is unlawful for any inoperative motor vehicle to be left standing on the streets, sidewalks alleys or other Village property for a period of more than 24 hours.

Section 19.22 Approach of Emergency Vehicle

Upon the approach of any police or fire department vehicle, or hospital ambulance, giving audible signal by an appropriate device, the driver of every other vehicle shall immediately drive to a position as near as possible and parallel to the right hand side of the street or highway, clear any intersection, and shall stop and remain there, unless otherwise directed by police or traffic officer, until the police or fire department vehicle or hospital ambulance has passed.

Section 19.23 Following and Parking Too Near Fire Apparatus Prohibited

It is unlawful for the driver of a vehicle, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm, closer than 600 feet, or to drive and/or park the vehicle within the block, or within 300 feet of the place where the fire apparatus has stopped to answer a fire alarm.

Section 19.24 Bicycle Operation Regulated

(a) As used in this chapter the term vehicle shall include bicycles, motor bikes, motor scooters, and motorcycles.

(b) The vehicles listed in (a) above shall not be ridden over or upon the sidewalks of the Village

(c) Operators of vehicles listed in (a) above shall in all respects comply with existing state laws regarding registration, operation, and safety.

Section 19.25 Driver Must be Licensed

No person shall drive or operate any vehicle within the corporate limits of the Village of Folsom unless and until he has been issued a license to so do as required by the laws of this state nor shall any person permit or allow any other person to drive or operate any vehicle owned or controlled by him within the corporate limits of the Village of Folsom unless and until such other person has been issued a license to so do as required by the laws of this state.

Section 19.26 Obedience to Police Officers and Traffic Signs

(a) No person shall fail or refuse to comply with any lawful order or direction of any police officer vested by law with authority to direct, control or regulate traffic.

(b) No person shall fail or refuse to comply with the instruction or direction of any traffic control device which has been erected under authority of this ordinance.

Section 19.27 Penalties

Violations of the provisions of this ordinance and regulations of the police department shall be punishable by a fine of not more than \$200.00, or imprisonment of not more than 30 days or both.

Section 19.28 Driving on Right Side of Road, Exceptions

Upon all roads of sufficient width a vehicle shall be driven upon the right half of the road, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(2) When the right half of a roadway is closed to traffic while under construction or repair;

(3) Upon a roadway designated and sign posted for one-way traffic.

Section 19.29 Passing Vehicles Proceeding in Opposite Directions

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

Section 19.30 Passing a Vehicle on the Left

The following rules shall govern the overtaking and passing of vehicle proceeding in the same direction, subject to these limitations, exceptions and special rules hereinafter stated:

(1) Except when overtaking and passing on the right is permitted, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 19.31 Following Vehicles

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 road.

Section 19.32 Required Position and Method of Turning at Intersections

The driver of a vehicle intending to turn at an intersection shall proceed as follows:

(1) **RIGHT TURNS:** Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand edge of the roadway.

(2) **LEFT TURNS ON TWO WAY ROADWAYS:** At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) The Village may modify the foregoing methods of turning at intersections on road by signs directing the course to be followed by vehicles at those intersections, and no driver shall fail to follow such directions.

Section 19.33 Turning Movements and Required Signals

(a) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required is R.S. 32:101, or turn a vehicle to enter a private road or driveway or to otherwise turn a vehicle from a direct court or move right or left upon a roadway unless and until such movement can be made with reasonable safety.

(b) Whenever a person intends to make a right or left turn which will take his vehicle from the road it is then traveling, he shall give a signal of such intention in the manner described hereafter and such signal shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(d) The signals provided for in R.S. 32:105 (b) shall be used to indicate an intention to turn, change lanes or start from a parked position and shall as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear.

Section 19.34 Signals By Hand and Arm or Signal Lamps

(a) Any stop or turn signal when required herein shall be given either by means of the hand and arm as provided in R.S. 32:106 or by signal lamps, except as otherwise provided in Paragraph B.

(b) Any motor vehicle in use in the Village of Folsom shall be equipped with and the required signal shall be given by, signal lamps both to the front and to the rear when the vehicle is so constructed, loaded or operated as to prevent the hand and arm signal from being visible from both the front and the rear.

Section 19.35 Methods of Giving Hand and Arm Signals

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

(1) Left turn - hand and arm extended horizontally, with the hand open and the back of the hand to the rear.

(2) Right turn - arm extended horizontally, with the hand forty-five degrees from shoulder or elbow, with the hand open and the back of the hand to the rear.

(3) Stop or decrease speed - start - hand and arm extended downward at an angle of forty-five degrees from shoulder or elbow, with the hand open and the back of the hand to the rear.

(4) Pulling from curb or side of road - same as for left turn.

Section 19.36 Vehicle Approaching or Entering Intersection

(a) When two vehicles approach or enter an intersection from different roads at approximately the same time, the driver of the vehicle on the left, shall yield the right of way to the vehicle on the right.

(b) The right of way rule declared in (a) above is modified at through roads and otherwise as hereinafter stated.

Section 19.37 Vehicle Turning Left at Intersection

The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to all vehicles approaching from the opposite direction which are within the intersection or so close thereto as to constitute an immediate hazard.

Section 19.38 Stop Signs and Yield Signs

(a) Preferential right of way at an intersection may be indicated by stop signs or yield signs.

(b) Except when directed to proceed by a police officer or traffic control sign every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting road where the driver then has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right of way to all vehicles which have entered the intersection from another road or which are approaching so closely on said road as to constitute an immediate hazard.

(c) The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side on the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting road where the

driver has a view of approaching traffic on the intersecting road. Having slowed or stopped in this manner, the driver shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another road so closely as to constitute an immediate hazard.

Section 19.39 Vehicle Entering Road from Private Drive

The driver of a vehicle about to enter or cross a road from a private driveway, alley or building, shall stop such vehicle immediately prior to driving onto a sidewalk area extending across any alleyway, or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid a collision, and shall yield the right of way to all approaching vehicles so close as to constitute an immediate hazard.

Section 19.40 Procedure on Approach of an Authorized Emergency Vehicle

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb, of the roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

Section 19.41 Parking, Standing and Stopping

(a) Upon any road or street, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the road or street when it is practicable to stop, park or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the roadway opposite a standing vehicle shall be left for the free passage of other vehicles and clear view of such stopped vehicles shall be available from a distance of 200 feet in each direction upon such road.

(b) The provisions of this section shall not apply to the driver of any vehicle which is disabled while on the main traveled portion of a road or street so that it is impossible to avoid stopping and temporarily leaving the vehicle in that position. However, the driver shall remove the vehicle as soon as possible, and until it is removed it is his responsibility to protect traffic.

(c) The driver of any vehicle left parked, attended or unattended, on any roadway, at all times of day and/or night, display appropriate signal lights thereon, sufficient to warn approaching traffic of its presence.

Section 19.42 Officer Authorized to Remove Illegally Stopped Vehicles

Whenever any police officer finds a vehicle standing upon a road or street in violation of this Section, he is authorized to tow such vehicle, or require the driver or other person in charge of the vehicle to move it to a position off the paved or main traveled part of the road or street.

Section 19.43 Parking Regulations

The Village of Folsom may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any road or street where in its opinion such stopping, standing or parking is dangerous to those using the streets, or where such would unduly interfere with the free movement of traffic. Such sign shall be official signs, and no person shall stop, stand, or park any vehicle in violation to such restriction.

Section 19.44 Stopping, Standing, or Parking Prohibited in Specified Places

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

- (1) On a sidewalk;
- (2) In front of a public or private driveway
- (3) Within an intersection;
- (4) Within fifteen feet of a fire hydrant;
- (5) On a cross walk;
- (6) Within twenty feet of a cross walk at an intersection
- (7) Within twenty feet of the approach to any flashing beacon stop sign, or traffic control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb, or within twenty feet of points on the curb immediately opposite the ends of a safety zone;
- (9) Within twenty feet of the driveway entrance to any fire station, and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly posted;
- (10) On the road way side of any vehicle stopped or parking at the edge of a street;
- (11) At any place where official signs prohibit such;

(12) Any place where parking will obscure or obstruct visibility of any traffic control device;

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

Section 19.45 Pedestrians' Right of Way in Crossings

(a) When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a cross-walk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway so as to be in danger.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) Whenever any vehicle is stopped at a marked cross walk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Section 19.46 Crossing at Other Than Cross Walks

(a) Every pedestrian crossing a roadway at any point other than within a marked cross walk or within an unmarked cross walk at any intersection shall yield the right of way to all vehicles upon the roadway.

(b) Between adjacent intersections at which traffic controlled signals are in operation pedestrians shall not cross at any place except in a marked cross walk.

Section 19.47 Obedience To and Required Traffic Control Devices

(a) The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this ordinance, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

(b) No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in position and not where it can be seen by an ordinary observant person. Whenever a particular section this ordinance does not state that signs are required, such section shall be effective even though no signs are erected or in place.

Section 19.48 Traffic Control Signals

Whenever traffic is controlled by traffic control signals exhibiting the words, GO, CAUTION, or STOP, or exhibiting different colored lights successively at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) GREEN alone, or GO:

(1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent cross walk at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked cross walk, but when the vehicular traffic facing the signal is allowed to turn into the street which the pedestrian is crossing, the pedestrian shall not proceed across such street until he may do so safely.

(b) Steady YELLOW or AMBER alone:

(1) Vehicular traffic facing the signal is thereby warned that the Red or Stop signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the Red or Stop signal is exhibited.

(2) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian starting to cross shall yield the right of way to all vehicles.

(c) Steady RED alone, or STOP:

(1) Vehicular traffic facing the signal shall stop before entering the cross walk on the near side of the intersection or, if none, then before entering the intersection, and shall remain standing until green or Go is shown alone. The driver of a vehicle may turn against a steady red light where a sign indicates this is permissible, provided he has yielded the right of way to other vehicles and pedestrians, and can execute the turn safely.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(d) Steady RED with GREEN ARROW:

(1) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians lawfully within a cross walk, and to other traffic lawfully using the intersection.

(2) No pedestrians facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(e) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except to those provisions which by their very nature can have no application. A stop required shall be made at a sign or marking on the pavement indicated where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the signal itself.

Section 19.49 Flashing Signal

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

(1) FLASHING RED (STOP SIGNAL) When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest cross walk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) FLASHING YELLOW OR AMBER (CAUTION SIGNAL) When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through or past such signal only with caution.

Section 19.50 Littering Prohibited

(a) No person, firm or corporation shall intentionally dump, leave or deposit any glass or metallic objects, trash, refuse or garbage on any private property, without permission of the owner of said property, or on any road or street, right of way, alley, park, or any lands belonging to the Village of Folsom. Whoever violates the provision of this section in respect to private property, road, street, alleys, parks, or any land adjacent thereto, shall at the discretion of the presiding judge, or mayor, either be fined not more than \$100.00 or be required to pick up the trash or refuse within a reasonable area as designated by the judge or mayor, or both.

(b) No person, firm, or corporation shall operate any truck or other vehicle on any road and/or street in such a manner or condition that the contents can blow or fall out of such vehicle, or that mud from its tires can fall upon the roadway.

Section 19.51 Driving Across Ditches; Requirements

No operator of any truck, tractor, bus, haywagon, or other heavy vehicle shall drive it across any ditch along the roads or streets of this Village without first constructing, at his own expense, a bridge over a ditch in such a way as not to in any way retard the drainage. After said person has made the crossing he shall remove any temporary bridge, etc., which he has erected so as to return said ditch to its original condition.

Section 19.52 Liability for Damage to Roads, Streets, and Alleys

(a) Any person driving any vehicle, object or contrivance upon any road, street, or alley, shall be liable for all damages which said road, street, or alley may sustain as a result of any illegal operation, driving or moving of such vehicle, or object, or contrivance, or as a result of operating, driving or moving any vehicle, object or contrivance weighing in excess of 16,000 pounds.

(b) Whenever such driver is not the owner of such vehicle, object or contrivance but is operating, driving or moving the same with the express or implied permission of said owner, then said owner and the driver shall be jointly and severally liable for any such damages.

Section 19.53 Penalties

Whenever any person is arrested for a violation of any provision of this ordinance, the arresting officer shall take his name, address, and the license number of his motor vehicle and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons and notice, such time to be at least five days after arrest, unless he shall demand an earlier hearing. The person arrested shall, if he so desires, have a right to an immediate hearing or a hearing within twenty-four hours, at a convenient hour, to be before the mayor or magistrate. Such officer may, in his discretion, thereupon and upon the giving by such person of his written promise to appear at such time and place, release him from custody, or take him forthwith before a magistrate. Any person refusing to give such written promise to appear, shall be taken immediately by the arresting officer before the nearest magistrate having jurisdiction. Any person who wilfully violates his written promise to appear shall be fined not more than \$200.00, or imprisoned for not more than 30 days, or both.

This section does not apply to any person charged with an offense involving or contributing to any accident resulting in injury or death to any person, nor to any person charged with driving while under the influence of intoxicating or narcotics, nor to any person whom the arresting officers shall have good cause to believe has committed any felon, or misdemeanor but the arresting officer shall take these persons forthwith before the most accessible magistrate having jurisdiction.

Editorial Note: L.R.S. 32:41 authorized municipalities to enact ordinance regulating traffic, including bicycles, provided the ordinances are not in conflict with state laws and regulations. Matters of speed, parking, traffic direction, stop signs, and pedestrian control may be regulated by municipal ordinance. Any municipally installed device, signal or sign for traffic control must conform to state specifications L.R.S. 32:235. Control devices placed upon state maintained highways must be approved by the department of highways. L.R.S. 33:403(2) gives authority for control of train speed and provides for crossing safety. Municipalities may install and operate parking meters, L.R.S. 33:4871.

APPENDICES

Appendices I and II contain traffic regulations and parking requirements that are incorporated by reference in the various sections of Chapter 17 of this code. These appendices include the following:

- I-A Speed limits established
- I-B Traffic control signals
- I-C One-way streets
- I-D Left and right turns prohibited at certain intersections
- I-E Stop intersections established
- I-F Yield right of way intersections established
- I-G Vehicle weight limits
- I-H Vehicle width limits established
- II-A Parking prohibited at all times
- II-B Parking prohibited in certain locations certain days and hours
- II-C Parking time limited in certain locations certain days and hours
- II-D Special purpose parking zones established, parking otherwise prohibited

APPENDIX I

I-A Speed Limits Established

No person shall operate or drive a vehicle on any road, street, and/or alley of the Village of Folsom in excess of twenty-five (25) miles per hour.

APPENDIX I

I-B Traffic Control Signals

APPENDIX I

I-C Stop Intersections Established

APPENDIX I

I-D Yield Right of Way Intersections Established

APPENDIX I

I-E Vehicle Weight Limits

APPENDIX I

I-H Vehicle Width Limits Established

APPENDIX II

II-A Parking Prohibited at All Times

APPENDIX II

II-B Parking Prohibited in Certain Locations
Certain Days and Hours

APPENDIX II

II-C Parking Time Limited in Certain Locations
Certain Days and Hours

VILLAGE OF FOLSOM
STATE OF LOUISIANA

**AN ORDINANCE AMENDING
CODE OF ORDINANCES,
TRAFFIC REGULATIONS, CHAPTER 19
SECTION 19.54 “COMPRESSION ENGINE BRAKES”**

WHEREAS,

The Village of Folsom Board of Aldermen has determined that it is necessary to adopt the following ordinance to prohibit the use of vehicle compression braking within the municipal limits.

BE IT ORDAINED by the Board of Aldermen of the Village of Folsom, State of Louisiana that the Folsom Code of Ordinances, Chapter 19 “Traffic Regulations” be amended to add Subsection 19.54 as follows:

Section 19.54.

Compression Engine Brakes

A. Use of Unmuffled Compression Brakes Prohibited.

No person shall use motor vehicles brakes which are in any way activated or operated by the compression of the engine exhaust of such motor vehicle or any unit or part thereof within the Village of Folsom unless such braking system is equipped with a functional muffler. Such prohibition shall not apply if an emergency situation exists, and the use of unmuffled compression engine brakes is necessary for the protection of persons or property.

B. Definitions.

The word “brake” means any device used for slowing, halting or stopping the movement of any vehicle.

The words “compression engine brake” means any motor vehicle brake that is operated by the compression of the engine exhaust of the motor vehicle or any unit or part thereof. A compression engine brake is also commonly known and referred to as a “jake brake.”

The words “motor vehicle” means every device by which persons or things may be transported upon a public highway or bridge except devices moved by human power or used exclusively upon stationary rails or tracks and includes vehicles commonly referred to as car, truck, tractor-trailer, motor home, and semi-trailer, propelled or drawn by mechanical power.

BE IT FURTHER ORDAINED that this ordinance shall take effect on and after its promulgation.

Said ordinance having been introduced on the 13th day of December, 2010, notice of public hearing having been published, said public hearing having been held on the 10th day of January, 2011, the title having been read and the ordinance considered, on motion duly made and seconded to adopt the ordinance, a record vote was taken and the following was had:

Yeas: Alderman Donald Burris

Alderman Jill Mathies

Alderman Lance Willie

Nays: None

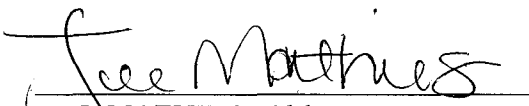
Abstentions: None


Absent: None

Whereupon, the Mayor declared the above ordinance duly adopted on the 10th day of January, 2011.

Folsom, Louisiana this 10th day of January, 2011.


DONALD BURRIS, Alderman


JILL MATHIES, Alderman


LANCE WILLE, Alderman

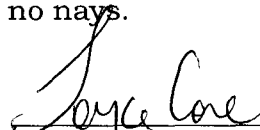
Approved:

VILLAGE OF FOLSOM

By: 
PHILLIP BICKHAM, Mayor

CERTIFICATE

I, Joyce Core, certify that the above and foregoing is a true and correct extract of the minutes of the regular session of the Village of Folsom held at the Town Hall in the Village of Folsom, Louisiana on the 10th day of January, 2011. Present: Phillip Bickham, Mayor; Donald Burris, Alderman; Jill Mathies, Alderman; Lance Willie, Alderman. All present voted yea and there were no nays.



JOYCE CORE, Municipal Clerk