

**TITLE VII TRAFFIC CODE
CHAPTER 71: TRAFFIC RULES**

ARTICLE I OPERATION GENERALLY

71.001 OPERATOR'S OR CHAUFFEUR'S LICENSE REQUIRED..... 5

71.002 RIDING ON PORTION OF VEHICLE NOT INTENDED FOR PASSENGERS..... 5

71.003 BOARDING OR ALIGHTING FROM MOVING VEHICLES 5

71.004 RIDING ON MOTORCYCLES 5

71.005 DUTY TO DRIVE ON RIGHT HALF OF ROADWAY 5

71.006 PASSING VEHICLE PROCEEDING IN OPPOSITE DIRECTION 5

71.007 PASSING VEHICLE PROCEEDING IN SAME DIRECTION 5

71.008 PASSING ON THE RIGHT 6

71.009 PASSING ROTARY TRAFFIC ISLAND 6

71.010 DRIVING ON ROADWAYS LANED FOR TRAFFIC 6

71.011 ONE-WAY STREETS AND ALLEYS 7

71.012 PROCEDURE UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLE..... 7

71.013 DIMMING OF LIGHTS ON APPROACHING ANOTHER VEHICLE 7

71.014 RIGHT-OF-WAY AT INTERSECTIONS 8

71.015 OPENING VEHICLE DOOR ON TRAFFIC SIDE 8

71.016-71.029 RESERVED 8

ARTICLE II REQUIRED STOPS

71.030 STOP AND YIELD INTERSECTIONS..... 8

71.031 STOP REQUIRED WHEN EMERGING FROM ALLEY, PRIVATE ROAD OR DRIVEWAY 9

71.032 STOP REQUIRED WHEN APPROACHING STOPPED SCHOOL BUS 9

71.033-71.049 RESERVED 9

ARTICLE III TURNING MOVEMENTS

71.050 TURNS TO BE MADE SAFELY; HORN TO BE SOUNDED 9

71.051 METHOD OF TURNING AT INTERSECTIONS	10
71.052 "U" TURNS.....	10
71.053 TURNING AND STOPPING SIGNALS	10
71.054-71.064 RESERVED	10
ARTICLE IV SPEED REGULATIONS	
71.065 GENERAL SPEED RESTRICTIONS.....	10
71.066 RACING PROHIBITED.....	11
71.067 MINIMUM SPEED REGULATION	11
71.068-71.079 RESERVED	11
ARTICLE V GRADE CROSSINGS	
71.080 DUTY TO STOP AT RAILROAD CROSSINGS	11
71.081 HAZARDOUS CROSSINGS.....	12
71.082-71.094 RESERVED	12
ARTICLE VI CARELESS, RECKLESS OR IMPAIRED OPERATION	
71.095 CARELESS DRIVING.....	12
71.096 RECKLESS DRIVING.....	12
71.097-71.109 RESERVED	12
ARTICLE VII PROHIBITED ACTS	
71.110 SPILLING OF VEHICLE LOADS.....	12
71.111 PLACING INJURIOUS SUBSTANCES ON STREETS.....	13
71.112 OBSTRUCTION OF DRIVER'S VIEW OR CONTROL.....	13
71.113 DRIVING THROUGH SAFETY ZONE PROHIBITED.....	13
71.114 DRIVING IN SIDEWALK AREA	13
71.115 RESERVED.....	13
71.116 COASTING	13

71.117 FOLLOWING TOO CLOSELY.....	13
71.118 FOLLOWING FIRE APPARATUS OR DRIVING NEAR SCENE OF FIRE; DRIVING OVER FIRE HOSE	14
71.119 TURNING OFF LIGHTS TO AVOID ARREST OR IDENTIFICATION	14
71.120-71.132 RESERVED	14
ARTICLE VIII EQUIPMENT REQUIREMENTS AND REGULATIONS	
71.133 GENERAL EQUIPMENT REQUIREMENTS	14
71.134 VEHICLE LIGHTS REQUIRED	14
71.135 LIGHT OR FLAG FOR PROJECTING LOADS.....	15
71.136 SIGNS AND STICKERS ON VEHICLE WINDSHIELD OR WINDOWS	15
71.137-71.149 RESERVED	15
ARTICLE IX ACCIDENTS	
71.150 ACCIDENT REPORTS	15
71.151 LEAVING THE SCENE OF AN ACCIDENT	15
71.152 ACCIDENT STUDIES	16
71.153-71.164 RESERVED	16
ARTICLE X TRUCKS, HEAVY EQUIPMENT AND OVERSIZE VEHICLES	
71.165 RESTRICTION ON OPERATION OF TRUCKS	16
71.166 HEAVY EQUIPMENT CROSSING RAILROADS.....	16
71.167 VEHICLES TRANSPORTING HOUSES AND OTHER STRUCTURES	16
71.168–71.998 RESERVED.....	17
71.999 PENALTY	17

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

CHAPTER 71: TRAFFIC RULES

**ARTICLE I
OPERATION GENERALLY**

71.001 Operator's Or Chauffeur's License Required

No person shall operate a motor vehicle upon the streets or alleys of the city unless such person has a valid license as an operator or chauffeur as required by the laws of the State of Arkansas.

(Code 1965, §19-61; Ord. No. 1447, 6-7-65; Code 1991, §71.001)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Driver's license required, A.C.A. §27-16-602.

71.002 Riding On Portion Of Vehicle Not Intended For Passengers

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in space intended for merchandise.

(Code 1965, §19-16; Ord. No. 1447, 6-7-65; Code 1991, §71.002)

Cross reference(s)--Penalty, §71.999.

71.003 Boarding Or Alighting From Moving Vehicles

No person shall board or alight from any vehicle while same is in motion.

(Code 1965, §19-17; Ord. No. 1447, 6-7-65; Code 1991, §71.003)

Cross reference(s)--Penalty, §71.999.

71.004 Riding On Motorcycles

A person operating a motorcycle shall ride only upon permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat, if designed for two persons, or upon another seat to the rear of the operator.

(Code 1965, §19-19; Ord. No. 1447, 6-7-65; Code 1991,

§71.004)

Cross reference(s)--Penalty, §71.999.

71.005 Duty To Drive On Right Half Of Roadway

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

- (A) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (B) When the right half of a roadway is closed to traffic while under construction or repair;
- (C) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- (D) Upon a roadway designated and sign posted for one-way traffic.

(Code 1965, §19-63; Ord. No. 1447, 6-7-65; Code 1991, §70.005)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Vehicles to be driven on right side of roadway - Exceptions, A.C.A. §27-51-301.

71.006 Passing Vehicle Proceeding In Opposite Direction

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 possible.

(Code 1965, §19-64; Ord. No. 1447, 6-7-65; Code 1991, §71.006)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Passing a vehicle proceeding in opposite direction, A.C.A. §27-51-303.

71.007 Passing Vehicle Proceeding In Same Direction

- (A) Except as otherwise provided in this chapter:

- (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

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 yield 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.
 - (3) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.
- (B) Circumstances under which passing is prohibited. No vehicle shall, in overtaking and passing another vehicle or at any other time, except upon a one-way roadway, be driven to the left side of the roadway under the following conditions:
- (1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed;
 - (2) When approaching within 100 feet of or traversing any intersection or railroad grade crossing;
 - (3) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel;
 - (4) Where official signs are in place directing that traffic keep to the right, or a distinctive centerline is marked, which distinctive line also directs traffic as declared in the sign manual adopted by the state highway commission.

(Code 1965, §§19-65, 19-66; Ord. No. 1447, 6-7-65; Code 1991, §71.007)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Overtaking of vehicle on left, A.C.A. §27-51-306; Restrictions on passing overtaken vehicle on left, A.C.A. §27-51-307.

71.008 Passing On The Right

- (A) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
- (1) When the vehicle overtaken is making or about to make a left turn.
 - (2) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction.
 - (3) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.
- (B) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

(Code 1965, §19-67; Ord. No. 1447, 6-7-65; Code 1991, §71.008)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Conditions when overtaking on right, A.C.A. §27-51-308.

71.009 Passing Rotary Traffic Island

A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

(Code 1965, §19-71; Ord. No. 1447, 6-7-65; Code 1991, §71.009)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--One-way roadways and rotary traffic islands, A.C.A. §27-51-304(b).

71.010 Driving On Roadways Laned For Traffic

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all other consistent herewith, shall apply:

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

- (A) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (B) Official signs may be erected directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the direction of every such sign.

(Code 1965, §19-72; Ord. No. 1447, 6-7-65; Code 1991, §71.010)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Driving on roadways laned for traffic, A.C.A. §27-51-302.

71.011 One-Way Streets And Alleys

- (A) The traffic superintendent is hereby authorized to determine and designate one-way streets and alleys and the traffic superintendent shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- (B) Upon those streets and parts of streets and in those alleys designated one-way, vehicular traffic shall move only in the indicated direction when signs indicating same are duly placed.
- (C) The traffic superintendent is authorized to determine and designate streets, parts of streets or specific lanes upon which vehicular traffic shall proceed in one direction during one period of the day and the opposite direction during another period of the day, and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The traffic superintendent may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the roadway. It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers, or other devices so placed in accordance with this section.

(Code 1965, §§19-73--19-75; Ord. No. 1447, 6-7-65; Code 1991, §71.011)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--One-way roadways and rotary

traffic islands, A.C.A. §27-51-304(a).

71.012 Procedure Upon Approach Of Authorized Emergency Vehicle

- (A) Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle or bell, 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 street or highway, 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 using the street or highway.

(Code 1965, §19-82; Ord. No. 1447, 6-7-65; Code 1991, §71.012)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Operation of vehicles and streetcars on approach of authorized emergency vehicles, A.C.A. §27-51-901.

71.013 Dimming Of Lights On Approaching Another Vehicle

- (A) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in A.C.A. §27-36-204, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:
- (1) Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, the driver shall use a distribution of light, or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver;
 - (2) The lowermost distribution of light, or composite beam, specified in A.C.A. §27-36-210(b)(2) shall be deemed to avoid glare at all times regardless of road contour and loading.
- (B) Whenever the driver of a vehicle follows another vehicle within 200 feet to the rear, except when

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

engaged in the act of overtaking and passing, the driver shall use a distribution of light permissible under A.C.A. §27-36-211(2), other than the uppermost distribution of light specified in A.C.A. §27-36-210(b)(1).

(Code 1965, §19-92; Ord. No. 1447, 6-7-65; Code 1991, §71.013)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--When lighted lamp required, A.C.A. §27-36-204; Multiple-beam road lighting equipment, A.C.A. §27-36-210; Use of multiple-beam road lighting equipment, A.C.A. §27-36-211(2).

71.014 Right-Of-Way At Intersections

- (A) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street or highway.
- (B) When two vehicles enter an intersection from different streets or highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right. These rules are modified at through highways and otherwise as stated in this traffic code.
- (C) The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn after all other vehicles approaching the intersection which constitute an immediate hazard shall have cleared the intersection.

(Code 1965, §19-76; Ord. No. 1447, 6-7-65; Code 1991, §71.014)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Vehicles approaching or entering intersection, A.C.A. §27-51-501; Vehicle turning left at intersection, A.C.A. §27-51-502.

71.015 Opening Vehicle Door On Traffic Side

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

(Code 1965, §19-111; Ord. No. 1447, 6-7-65; Code 1991, §71.015)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Opening door on traffic side, A.C.A. §27-51-1307.

71.016-71.029 Reserved

ARTICLE II REQUIRED STOPS

71.030 Stop And Yield Intersections

- (A) The traffic superintendent shall designate intersections at which preferential right-of-way may be indicated by stop signs or yield signs.
 - (1) Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersection roadway.
 - (2) Every stop sign shall bear the word "stop" in letters not less than eight inches in height. Every yield sign shall bear the word "yield" in letters not less than seven inches in height. Every stop sign and every yield sign shall, at nighttime, be rendered luminous by internal illumination or by a flood light projected on the face of the sign or by efficient reflecting elements in the face of the sign.
 - (3) Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection. In the event there is no crosswalk, the driver shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.
 - (4) The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection. In the event there is no crosswalk, the driver shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

driver has a view of approaching traffic on the intersecting roadway.

(B) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized by subsection (A) above.

(1) Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by subsection (A) above and after having stopped, shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard. The driver having so yielded may proceed, the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding.

(2) The driver of a vehicle approaching a yield sign shall in obedience to such sign, slow down to a speed reasonable for the existing conditions, or shall stop if necessary as provided in subsection (A) above and shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving. The driver shall also yield to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. A driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicles so proceeding.

(3) If a driver is involved with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of his failure to yield right-of-way.

(Code 1965, §19-113; Ord. No. 1447, 6-7-65; Code 1991, §71.030)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Stop signs and yield signs, A.C.A. §27-51-601; Vehicle or streetcar entering stop or yield intersection, A.C.A. §27-51-503.

71.031 Stop Required When Emerging From Alley, Private Road Or Driveway

In accordance with A.C.A. §§ 27-51-602 and 27-51-603, the driver of a vehicle emerging from an alley, private road, driveway or building shall stop such vehicle

immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway, and shall yield the right-of-way to pedestrians and to vehicles approaching on the street.

(Code 1965, §19-114; Ord. No. 1447, 6-7-65; Code 1991, §71.031)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Stop before driving across sidewalk, A.C.A. §27-51-602; Yield on entering highway from private road, A.C.A. §27-51-603,.

71.032 Stop Required When Approaching Stopped School Bus

When any school bus vehicle stops, every operator of a motor vehicle or motorcycle approaching the same from any direction shall bring such motor vehicle to a full stop before proceeding in any direction and, in the event such school bus vehicle is receiving and/or discharging passengers, the operator of such motor vehicle or motorcycle shall not start up or attempt to pass in any direction until such school bus vehicle has finished receiving and/or discharging its passengers.

(Code 1965, §19-115; Ord. No. 1447, 6-7-65; Code 1991, §71.032)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Passing when stopped prohibited, A.C.A. § 27-51-1004.

71.033-71.049 Reserved

**ARTICLE III
TURNING MOVEMENTS**

71.050 Turns To Be Made Safely; Horn To Be Sounded

(A) No person shall turn a vehicle from a direct course upon a street or highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner set forth in subsection (B) in the event any other vehicle may be affected by the movement.

(B) A signal of intention to turn right or left shall be given continuously during not less than 100 feet traveled by the vehicle before turning.

(Code 1965, §19-77; Ord. No. 1447, 6-7-65; Code 1991,

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

§71.050)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Signals for turning, stopping, or decreasing speed required, A.C.A. §27-51-403.

71.051 Method Of Turning At Intersections

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

- (A) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
- (B) The approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and, after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered.
- (C) The approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right one-half of the roadway nearest the centerline and by passing to the right of such centerline where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the centerline of the street being entered upon leaving the intersection.

(Code 1965, §19-78; Ord. No. 1447, 6-7-65; Code 1991, §71.051)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Turning at intersections, A.C.A. §27-51-401.

71.052 "U" Turns

No vehicle shall be turned so as to proceed in the opposite direction on any street, except at an intersection, and such turn shall be made then only if traffic is not controlled at such intersection by a traffic control signal.

(Code 1965, §19-79; Ord. No. 1447, 6-7-65; Code 1991, §71.052)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Turning on curve or crest of grade prohibited, A.C.A. §27-51-402.

71.053 Turning And Stopping Signals

(A) No person shall turn a vehicle from a direct course upon a street or highway without giving an appropriate signal, in the event any other vehicle may be affected by such movement. A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

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

(C) Any stop or turn signal, when required, shall be given either by means of the hand and arm or by signal lamps; provided that, any motor vehicle in use on a street or highway shall be equipped with, and the required signal shall be given by, signal lamps, when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle and to any combination of vehicles.

(D) All signals required by this section given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (1) *Left turn.* Hand and arm extended horizontally.
- (2) *Right turn.* Hand and arm extended upward.
- (3) *Stop or decrease of speed.* Hand and arm extended downward.

(Code 1965, §19-81; Ord. No. 1447, 6-7-65; Code 1991, §71.053)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Signals for turning, stopping, or decreasing speed required, A.C.A. §27-51-403; Signals to stop or sign, A.C.A. §27-51-404; Hand and arm signals, A.C.A. §27-51-405.

71.054-71.064 Reserved

ARTICLE IV SPEED REGULATIONS

71.065 General Speed Restrictions

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

(A) No person shall drive a vehicle on any street or highway in the city at a speed greater than is reasonable and prudent under the conditions then existing.

(B) Where no special hazard exists, the following speeds shall be lawful, but any speed in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

(1) Twenty miles per hour in any business district.

(2) Twenty-five miles per hour in any residential district.

(C) The fact that the speed of the vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when traveling upon any narrow or winding roadway, or when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or street conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to show due care.

(Code 1965, §19-68; Ord. No. 1447, 6-7-65; Code 1991, §71.065)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Limitations generally; A.C.A. §27-51-201; Local authorities may alter prima facie speed limits, A.C.A. §27-51-206.

71.066 Racing Prohibited

It shall be unlawful for any person to drive any motor vehicle or motor bicycle in a race upon any street or highway in the city and any person in violation shall be punished as set forth in A.C.A. § 27-50-302.

(Code 1965, §19-69; Ord. No. 1447, 6-7-65; Code 1991, §71.066)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Classification of traffic violations, A.C.A. §27-50-302 .

71.067 Minimum Speed Regulation

(A) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when

reduced speed is necessary for safe operation or in compliance with the law.

(B) Police officers are hereby authorized to enforce this section by directions to drivers, and in the event of apparent willful disobedience to this section and refusal to comply with direction of an officer in accordance herewith, the continued slow operation by a driver shall be a misdemeanor.

(Code 1965, §19-70; Ord. No. 1447, 6-7-65)

Cross reference(s)--Penalty, §71.999.

71.068-71.079 Reserved

ARTICLE V GRADE CROSSINGS

71.080 Duty To Stop At Railroad Crossings

(A) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train.

(3) A railroad train approaching within approximately 1,500 feet of the crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(B) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

(C) *Penalty.* The penalty for violation of this section shall be a fine of not less than \$50 nor more than \$200.

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

(Code 1965, §19-116; Ord. No. 1447, 6-7-65; Code 1991, §71.080)

Cross reference(s)--Heavy equipment crossing railroads, §71.166; Penalty, §71.999.

State law reference(s)--Penalty generally; A.C.A. §27-51-70; Obedience to signals at crossings required, A.C.A. §27-51-702.

71.081 Hazardous Crossings

(A) The City Council or mayor, by proper order or proclamation, shall designate such railroad crossings are not deemed hazardous within the limits of the city, which crossings as are provided with flagmen or electric danger signals. It shall be the duty of all railroads or railway companies operating in the city, within 30 days after such designation, to place at such crossings, upon both sides of the track, a stop sign or warning giving notice that such crossing is hazardous and that drivers of motor-driven vehicles are required to stop.

(B) It shall be unlawful for any driver to drive or propel any automobile, automobile truck or other motor-driven vehicle upon any railroad track at a municipal street intersecting such railroad at a grade crossing that has been designated and marked as a hazardous crossing, without first bringing such vehicle to a full stop at a distance of, not less than 10 feet nor more than 50 feet from the nearest track, and then and there looking and listening for approaching trains.

(Code 1965, §§19-117, 19-118; Ord. No. 1447, 6-7-65; Code 1991, §70.081)

Cross reference(s)--Penalty, §71.999.

71.082-71.094 Reserved

ARTICLE VI CARELESS, RECKLESS OR IMPAIRED OPERATION

71.095 Careless Driving

Any person who drives a vehicle in such a manner as to indicate a disregard for the safety of persons or property shall be guilty of careless driving.

(Code 1965, §19-263(c); Ord. No. 1447, 6-7-65; Ord. No. 2219, 5-4-76; Code 1991, §71.095)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Careless and prohibited driving, A.C.A. §27-51-104.

71.096 Reckless Driving

Any person who drives any vehicle in such a manner as to indicate a wanton disregard for the safety of persons or property shall be guilty of reckless driving and shall be subject to the penalty provisions of A.C.A. §27-50-308(b).

(Code 1965, §19-94; Ord. No. 1447, 6-7-65; Code 1991, §71.096)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Classification of traffic violations, A.C.A. §27-50-302; Reckless driving, A.C.A. §27-50-308.

71.097-71.109 Reserved

(Code 1965, §19-95(a); Ord. No. 1447, 6-7-65; Code 1991, §71.097, Code 2004, §71.097)

State law reference(s)--Unlawful acts, A.C.A. §5-65-103; Implied consent, A.C.A. §5-65-202; Omnibus DWI Act-Application, A.C.A. §5-65-101 et seq.

(Code 1965, §19-96(a); Ord. No. 1447, 6-7-65; Code 1991, §71.098, Code 2004, §71.098)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Unlawful acts, A.C.A. §5-65-103; Relationship to other laws, A.C.A. §5-65-101 et seq.

ARTICLE VII PROHIBITED ACTS

71.110 Spilling Of Vehicle Loads

(A) No vehicle shall be used to haul rubbish, trash, loose bottles, tin cans, brush, waste paper, loose dirt, rocks or material of similar nature upon the traffic streets, without first having been equipped with the proper equipment as hereinafter set out to prevent the load, or any part thereof, from falling, dropping or being blown off the vehicle while in motion. The bed and sidewalls thereof shall not drop through or from the vehicle. The vehicle shall not be loaded in such manner that any part of the load extends over and above the sidewalls of the truck bed. When the vehicle is being used for carrying loose paper or other material that may be blown from the load, a tarpaulin or screen cover of sufficient mesh shall be used to cover the load to prevent its being blown from the vehicle while in

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

motion.

- (B) No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom; provided sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a street or highway for clearing or maintenance purposes.

(Code 1965, §§19-14, 19-100; Ord. No. 1447, 6-7-65; Ord. No. 2809, 5-4-82; Code 1991, §71.110)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Spilling loads on highways prohibited-Covers required over loads of sand, gravel and rock-Exceptions, A.C.A. §5-65-103.

71.111 Placing Injurious Substances On Streets

- (A) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon the street or highway.
- (B) Any person who drops, or permits to be dropped or thrown, upon any street or highway any destructive or injurious material shall immediately remove it or cause it to be removed.
- (C) Any person removing a wrecked or damaged vehicle from a street or highway shall remove any glass or other injurious substance dropped upon the street or highway from the vehicle.

(Code 1965, §19-21; Ord. No. 1447, 6-7-65; Code 1991, §71.111)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Throwing destructive or injurious materials on highway prohibited, A.C.A. §27-51-1405.

71.112 Obstruction Of Driver's View Or Control

- (A) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or so as to interfere with the driver's control over the driving mechanism of the vehicle.

- (B) No passenger in a vehicle shall ride in such

position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

(Code 1965, §19-62; Ord. No. 1447, 6-7-65; Code 1991, §71.112)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Obstruction to driver's view or driving mechanism prohibited, A.C.A. §27-51-1401.

71.113 Driving Through Safety Zone Prohibited

No vehicle shall at any time be driven through or within a safety zone.

(Code 1965, §19-83; Ord. No. 1447, 6-7-65; Code 1991, §71.113)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Driving through safety zone prohibited, A.C.A. §27-51-1402.

71.114 Driving In Sidewalk Area

It shall be unlawful for any person to drive or operate any motor vehicle, within any sidewalk area in the city, except at a driveway.

(Code 1965, §19-84; Ord. No. 1447, 6-7-65; Code 1991, §71.114)

Cross reference(s)--Penalty, §71.999.

71.115 Reserved

(Code 1965, §19-87; Ord. No. 1447, 6-7-65; Code 1991, §71.117)

Cross reference(s)--Penalty, §71.999.

71.116 Coasting

- (A) The driver of any motor vehicle, when traveling upon a downgrade, shall not coast with the gears of such vehicle in neutral.

- (B) The driver of a commercial motor vehicle, when traveling upon a downgrade, shall not coast with the clutch disengaged.

(Code 1965, §19-88; Ord. No. 1447, 6-7-65; Code 1991, §71.118)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Coasting prohibited, A.C.A. §27-

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

51-1404.

71.117 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 vehicles and the traffic upon and the condition of the street or highway.

(Code 1965, §19-89; Ord. No. 1447, 6-7-65; Code 1991, §71.119)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Following too closely, A.C.A. §27-51-305.

71.118 Following Fire Apparatus Or Driving Near Scene Of Fire; Driving Over Fire Hose

(A) The driver of any vehicle, other than one on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park the vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(B) No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

(Code 1965, §19-91; Ord. No. 1447, 6-7-65; Code 1991, §71.120)

Cross reference(s)--Penalty, §71.999; Interfering with firefighters, §33.047.

State law reference(s)--Following fire apparatus, A.C.A. §27-51-902; Crossing unprotected fire hose prohibited, A.C.A. §27-51-903.

71.119 Turning Off Lights To Avoid Arrest Or Identification

It shall be unlawful for any person to turn off any lights on a motor vehicle for the purpose of avoiding arrest or identification.

(Code 1965, §19-93; Ord. No. 1447, 6-7-65; Code 1991, §71.121)

Cross reference(s)--Penalty, §71.999.

71.120-71.132 Reserved

**ARTICLE VIII
EQUIPMENT REQUIREMENTS
AND REGULATIONS**

71.133 General Equipment Requirements

No person shall drive a motor vehicle not complying with the following requirements as to equipment:

(A) *Signaling devices.* Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quality and volume to give warning of the approach of such vehicle to other users of the street and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making unnecessary noise, and no other sound-producing signaling device shall be used at any time.

(B) *Brakes.* All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

(C) *Mirrors.* All motor vehicles which are so constructed or loaded that the driver cannot see the street behind such vehicle by looking or around the side of such vehicle shall be equipped with mirror so adjusted as to reveal the street and be visible from the driver's seat.

(D) *Muffler cutouts.* Muffler cutouts shall not be used and no vehicle shall be driven in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet exhaust noises insofar as possible. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened while such vehicle is in motion.

(Code 1965, §19-11; Ord. No. 1447, 6-7-65; Code 1991, §71.135)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Equipment requirement, A.C.A. §27-37-501; Mirrors, A.C.A. §27-37-305; Cutouts prohibited A.C.A. §27-37-602.

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

71.134 Vehicle Lights Required

No person shall drive a vehicle during the period from one-half hour after sunset to one-half hour before sunrise without front and rear lights, which shall meet all the requirements of A.C.A. §27-36-201 et seq.

(Code 1965, §19-12; Ord. No. 1447, 6-7-65; Code 1991, §71.136)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Regulation of lighting devices, A.C.A. §27-36-201 et seq.

71.135 Light Or Flag For Projecting Loads

All vehicles carrying poles or other objects which project more than four feet from the rear of such vehicle shall, during the period when lights are required by §71.136, carry a lamp or flag as set forth in A.C.A. §27-37-204.

(Code 1965, Sec. 19-13; Ord. No. 1447, 6-7-65; Code 1991, §71.137)

Cross reference(s)--Penalty, §71.999; Vehicle lights required, §71.136.

State law reference(s)--Lamp or flag on projecting load, A.C.A. §27-37-204.

71.136 Signs And Stickers On Vehicle Windshield Or Windows

No person operating a motor vehicle in the city shall have affixed to the windshield or any other windows thereof any sign, sticker, insignia, other obstruction or defect that limits visibility, except such sign, sticker or insignia required by any law or regulation, federal, state or city. Such sign, sticker or insignia, when required, shall be placed in the lower right hand corner of the windshield or such place and in such manner as not to obstruct the view of the driver. If stickers do not occupy more than 5% of the glass area, they may be affixed to the rear window in such manner and place as not to obstruct the view of the driver of such motor vehicle.

(Code 1965, §19-15; Ord. No. 1447, 6-7-65; Code 1991, §71.138)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Windshields, etc., to be unobstructed, A.C.A. §27-37-302; Obstruction of interior prohibited, A.C.A. §27-37-304.

71.137-71.149 Reserved

ARTICLE IX

ACCIDENTS

71.150 Accident Reports

(A) The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent event of one thousand dollars \$1,000.00 or more shall immediately, by the quickest means of communication, give notice of such accident to the police department.

(B) The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of \$1,000.00 or more shall, within five days after such accident, forward a written report of such accident to the police department, or a copy of any report he is required to forward to the state. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while such driver was present thereat.

(C) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required herein and there is another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice herein required. Whenever the driver is physically incapable of making a written report of an accident as is herein required and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within five days after learning of the accident, make such report not made by the driver.

(D) The police department shall maintain a suitable system of filing accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the traffic superintendent.

(Code 1965, §19-26; Ord. No. 1447, 6-7-65; Code 1991, §71.150)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Requirements in accidents involving death or personal injuries, A.C.A. §27-53-101; Accidents involving damage only to vehicle-Removal of vehicle, A.C.A. §27-53-102; Duty to give information and render aid, A.C.A. §27-53-103; Incapacity to make report, A.C.A. §27-53-203; Classification of traffic violations, A.C.A. §27-50-302.

71.151 Leaving The Scene Of An

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

Accident

No person driving a vehicle, knowing that an injury has been caused to a person or damage has been caused to a person or damage has been caused to property, arising out of the operation of such vehicle, shall leave the place of such injury, damage or accident without stopping and giving his name, residence, including city and street number, motor vehicle number and chauffeur's or registered operator's number, if any, to the injured party or to the police officer, or if no police officer is in the vicinity, then to the nearest police officer or judicial officer.

(Code 1965, §19-27; Ord. No. 1447, 6-7-65; Code 1991, §71.151)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Jurisdiction and responsibilities of law enforcement officers, A.C.A. §27-53-303.

71.152 Accident Studies

Whenever accidents at any particular location become numerous, the police department shall cooperate with the traffic engineer in conducting studies of such accidents and determining remedial measures.

(Code 1965, §19-28; Ord. No. 1447, 6-7-65; Code 1991, §71.152)

Cross reference(s)--Penalty, §71.999.

71.153-71.164 Reserved

**ARTICLE X
TRUCKS, HEAVY EQUIPMENT
AND OVERSIZE VEHICLES**

71.165 Restriction On Operation Of Trucks

- (A) There are hereby established in the city the following "truck routes": All U.S. Government and State Highway Department numbered highways.
- (B) The traffic superintendent is authorized to determine and recommend to the City Council other streets, parts of streets or specific lanes as truck routes.
- (C) All trucks shall use the truck routes listed in subsection (A) above or designated under the authority of subsection (B) above to the closest point of their destination.
- (D) For the purpose of this section, the word "truck"

shall mean any vehicle designed or operated for the transportation of property, the body weight or combined body and load weight of which exceeds 6,000 pounds.

- (E) This section shall be enforced only when appropriate signs are in place giving notice of the provisions hereof.
- (F) Violation of the provisions of this section or failure to comply with any of its requirements shall constitute a misdemeanor and, upon conviction thereof, the person convicted shall be punished as set forth in §71.999.

(Code 1965, §19-97; Ord. No. 1216, 9-14-59; Ord. No. 1409, 8-17-64; Ord. No. 1447, 6-7-65; Ord. No. 1889, 11-21-72; Code 1991, §71.165)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Trucks, A.C.A. §27-14-209.

71.166 Heavy Equipment Crossing Railroads

- (A) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of up to ten miles per hour, or a vertical body or load clearance one-half inch per foot of the distance between any two adjacent axles or, in any event, of less than nine inches above the level surface of a roadway, upon or across any tracks at a railroad crossing, without first complying with this section.
- (B) Notice of any such intended crossing shall be given to a station agent of such railroad and a reasonable time shall be given to such railroad to provide proper protection at such crossing.
- (C) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet 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 track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be safely made.
- (D) No such crossing shall be made when warning is given by automatic signal, crossing gates, a flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

(Code 1965, §19-98; Ord. No. 1447, 6-7-65; Code 1991, §71.166)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Moving heavy equipment at crossings, A.C.A. §27-51-705.

**71.167 Vehicles Transporting Houses
And Other Structures**

(A) *Certain vehicles must comply with section.* No vehicle or combination of vehicles carrying, transporting or moving any house, building, or similar structure or load which exceeds with load a total outside width of eight feet, or a total height of 13 feet, six inches, or a total length for single truck of 40 feet, or total length for combination of vehicles of 55 feet shall be operated over the streets or highways within the corporate limits of the city except as provided in this section.

(B) *Hours of movement.*

(1) Movement of such oversized vehicles shall be in daylight only, in periods of visibility between the hours of 5:30 a.m. and 6:30 a.m., 8:30 and 11:30 a.m. and the hours of 1:00 p.m. and 3:00 p.m. and no movement shall be made on Saturdays, Sundays or holidays, or on other days when heavy traffic is anticipated over the routes desired or when weather conditions make such movement impractical.

(2) The term "holiday" as used herein means the following holidays: Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, special, general or primary election days.

(C) *Application and permit.*

(1) A written application for permit shall be filed with the chief of police not later than 24 hours prior to an intended movement, specifying the vehicle and load to be operated or moved, the route (streets and/or highways) to be followed, the date and time the movement is desired, and, in consideration for granting of such permit, the applicant shall assume (and so state in the application) absolute liability and agree to pay for any and all damages to streets, highways or facilities, persons or private property resulting from such movement.

(2) If in the judgment of the chief of police, or his duly authorized representative, the movement desired can be accomplished with safety and without undue impediment to the flow of traffic and can be adequately supervised by the police department on the date, time and route requested, a permit shall be issued authorizing said movement. The police chief, or his authorized representative, shall have authority to deny the permit, if in his/her opinion these requirements cannot be met, or to prescribe additional conditions for its issuance, such as a different route, time or date, or manner of movement or other conditions, to insure safe movement of the vehicle in question and to insure adequate supervision of the movement by the police department.

(3) The police chief, or his/her duly authorized representative, shall have authority to waive the requirements of this section as to days of movement, so as to allow an oversized vehicle, moving under a state emergency permit, to proceed through the city on a Saturday, Sunday or holiday, during the hours permitted by this section, provided that at the time of such movement the vehicle can be moved safely and under the supervision of the police department.

(D) *Compliance with other laws.* All movements by such permit shall comply with all state and city laws regulating movement of vehicles upon the streets and highways of the city and state, and nothing in this section shall be construed as amending or affecting §71.165 or §71.166.

(E) *Signs.* The chief of police shall cause appropriate signs to be erected and maintained on highways entering the city, designating requirements of this section.

(Code 1965, §19-99; Ord. No. 1496, 4-18-66; Code 1991, §71.167)

Cross reference(s)--Penalty, §71.999.

State law reference(s)--Transportation of houses, A.C.A. §27-35-309; Maximum and minimum speed limits - Exceptions, A.C.A. §27-51-204; Special permit to move- Fee, A.C.A. §27-35-304; Issuance of permits, A.C.A. §27-35-305; Permits for special cargoes, A.C.A. §27-35-210; Times and places for moving oversized mobile homes, A.C.A. §27-35-306.

71.168-71.998 Reserved

71.999 Penalty

FAYETTEVILLE CODE OF ORDINANCES
TITLE VII TRAFFIC CODE

- (A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined as set forth in §10.99.
- (B) Any person who violates §71.032 shall, upon conviction thereof, be guilty of a misdemeanor, and shall be fined not less than \$10.00 nor more than \$500.00 or confined to jail not to exceed 90 days, or both such fine and imprisonment.
- (C) Whoever violates the provisions of §71.066 shall be punished as set forth in §71.066.
- (D) Any person violating §71.080 shall, upon conviction thereof, be punished as set forth in §71.080.
- (E) Any person violating the provisions of §71.081 shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than \$5.00 nor more than \$25.00. All money raised through fines levied under the provisions of this section shall be paid into the treasury of the county and credited to the common school fund of the county.
- (F) Every person convicted of reckless driving as set forth in §71.096 shall be punished, as set forth in §71.096.
- (G) Every person convicted of a violation of §71.097 or §71.098 shall be punished by imprisonment for not less than 24 hours nor more than 30 days, and by a fine of not less than \$50.00 nor more than \$500.00, and his/her privilege to operate a motor vehicle may be suspended for a period of not more than one year. On a second or subsequent conviction for an offense committed within one year of the first offense of a violation of §71.097 or §71.098, he/she shall be punished by imprisonment for not less than ten days nor more than one year, and a fine of not less than \$250.00 nor more than \$1,000.00, and his/her privilege to operate a motor vehicle shall be revoked for one year. Imprisonment, as provided for in this section, shall not be deemed to have begun until after conviction and sentencing of the defendant.
- (H) Any person convicted of violating §71.110(B) shall be punished by a fine of not more than \$500.00 or double that sum for each repetition of such offense.
- (I) Whoever violates §71.165 shall be fined not less than \$25.00 nor more than \$200.00.
- (J) Any person who violates any of the provisions of §71.166 shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$50.00 nor more than \$200.00.
- (K) Any operator found violating the provisions of §71.167 or any owner, principal, employer, lessor, lessee, agent, or officer of any firm or corporation who permits such operator to violate said provisions shall be guilty of a misdemeanor and upon first conviction thereof shall be punished by a fine of not more than \$100.00 and for a second conviction within one year shall be punished by a fine of not more than \$200.00 and for a third conviction and each successive conviction within one year shall be punished by a fine of not more than \$500.00.

(Code 1965, §§19-69, 19-94--19-96, 19-97(f), 19-98(e), 19-99(f), 19-100(b), 19-115(b), 19-116(c), 19-119, 19-263(b); Ord. No. 1216, 9-14-64; Ord. No. 1409, 8-17-64; Ord. No. 1447, 6-7-65; Ord. No. 1496, 4-18-66; Ord. No. 1889, 11-21-72; Ord. No. 2219, 5-4-76; Ord. No. 2809, 5-4-82; Code 1991, §71.999)