

**TRAFFIC AND VEHICLES\***

**Chapter 1. In General**

- Sec. 86-1-101. Title
- Sec. 86-1-102. Definitions.
- Sec. 86-1-103. Applicability and purpose.
- Sec. 86-1-104. Conflict with state law.
- Sec. 86-1-105. Right of real property owners to regulate traffic.
- Sec. 86-1-106. Public employees to obey traffic regulations.
- Sec. 86-1-107. Persons riding or driving animals to obey regulations.
- Sec. 86-1-108. Requiring or knowingly permitting driver to unlawfully operate vehicle.
- Sec. 86-1-109. Obedience to police officer.
- Sec. 86-1-110. Failure to respond to officer's signal to stop.
- Sec. 86-1-111. Property owner to remove obstructions.
- Sec. 86-1-112. Adoption of state driving rules and regulations.
- Sec. 86-1-113. Traffic regulations applicable to public school grounds.
- Sec. 86-1-114. Penalties.

**Chapter 2. Operation of Vehicles**

Part 1. Generally

- Sec. 86-2-101. Driver's license.
- Sec. 86-2-102. Incapable or impaired driver.
- Sec. 86-2-103. Permitting incompetent to drive.
- Sec. 86-2-104. Driving under the influence of alcohol or drugs.
- Sec. 86-2-105. Alcohol-related reckless driving.
- Sec. 86-2-106. Open container in vehicle.
- Sec. 86-2-107. Intoxicated person in or about a vehicle.
- Sec. 86-2-108. Approach of emergency vehicle.
- Sec. 86-2-109. Backing.
- Sec. 86-2-110. Child restraining devices.
- Sec. 86-2-111. Control by driver.
- Sec. 86-2-112. Cutting through corners.
- Sec. 86-2-113. Driving on new pavement or wet paint.
- Sec. 86-2-114. Driving or riding on sidewalk.
- Sec. 86-2-115. Fire apparatus.
- Sec. 86-2-116. Following another vehicle.
- Sec. 86-2-117. Funeral identification and right-of-way.
- Sec. 86-2-118. Improper lookout.
- Sec. 86-2-119. Interference with safe operation of vehicle.
- Sec. 86-2-120. Littering and materials on roadway.

---

\***Cross reference(s)**--Courts, tit. 34; offenses and miscellaneous provisions, tit. 54; offenses against vehicle burglary, § 54-3-124; streets, sidewalks and other public places, tit. 74.

---

## TRAFFIC AND VEHICLES

- Sec. 86-2-121. Negligently colliding.
- Sec. 86-2-122. Obstruction to driver's view or driving mechanism.
- Sec. 86-2-123. One-arm driving.
- Sec. 86-2-124. One-way traffic.
- Sec. 86-2-125. Opening door.
- Sec. 86-2-126. Parades and procession permits.
- Sec. 86-2-127. Passenger riding in improper portion of vehicle.
- Sec. 86-2-128. Reckless driving.
- Sec. 86-2-129. Safety zone.
- Sec. 86-2-130. Seating.
- Sec. 86-2-131. Duty of drivers approaching stopped school buses.
- Sec. 86-2-132. Sleds.
- Sec. 86-2-133. Standing on seat.
- Sec. 86-2-134. Starting vehicles.
- Sec. 86-2-135. Stop when traffic obstructed.
- Sec. 86-2-136. Sudden stop.
- Sec. 86-2-137. Tampering with vehicle.
- Sec. 86-2-138. Television sets in vehicles.
- Sec. 86-2-139. Passenger restraining devices (seat belts)
- Sec. 86-2-140. Headlights and other illuminating devices.

### Part 2. Accidents

- Sec. 86-2-201. Accident involving injury or death.
- Sec. 86-2-202. Accident involving attended vehicle or property.
- Sec. 86-2-203. Collision with unattended vehicle or property
- Sec. 86-2-204. Stopping not to obstruct traffic.
- Sec. 86-2-205. Duty to notify police.
- Sec. 86-2-206. False identity or false information concerning accident.
- Sec. 86-2-207. Garage keeper to report damaged vehicle.
- Sec. 86-2-208. Duty under state law.

### Part 3. Overtaking and Passing

- Sec. 86-2-301. Duty to drive on the right side of roadway.
- Sec. 86-2-302. Passing vehicles proceeding in opposite directions.
- Sec. 86-2-303. Overtaking and passing vehicles proceeding in same direction.
- Sec. 86-2-304. Passing upon right.
- Sec. 86-2-305. Passing on left.
- Sec. 86-2-306. Driving on the left side of the road.
- Sec. 86-2-307. Roadway divided into marked lanes.
- Sec. 86-2-308. Weaving.
- Sec. 86-2-309. Roadway divided by dividing section.
- Sec. 86-2-310. Islands and markers.
- Sec. 86-2-311. Merging traffic to yield right-of-way.

## TRAFFIC AND VEHICLES

### Part 4. Speed

- Sec. 86-2-401. Speeding and prima facie limit.
- Sec. 86-2-402. Driving too slow.
- Sec. 86-2-403. Speed or acceleration contests and exhibitions.

### Part 5. Turns

- Sec. 86-2-501. Turning manner.
- Sec. 86-2-502. Turning signals.
- Sec. 86-2-503. Methods of giving signals.
- Sec. 86-2-504. Vehicle must turn after signal.
- Sec. 86-2-505. U-turns.

### Part 6. Right-of-Way

- Sec. 86-2-601. Definitions.
- Sec. 86-2-602. Right-of-way between vehicles at intersection.
- Sec. 86-2-603. Right-of-way at through intersection and T-intersection.
- Sec. 86-2-604. Vehicle turning left.
- Sec. 86-2-605. Entering roadway at place other than intersection.
- Sec. 86-2-606. Vehicle emerging from alley, driveway or building.
- Sec. 86-2-607. Starting vehicles.
- Sec. 86-2-608. Vehicle or pedestrian working upon highway.

## **Chapter 3. Stopping, Standing and Parking**

- Sec. 86-3-101. Title.
- Sec. 86-3-102. Scope.
- Sec. 86-3-103. Owner responsible.
- Sec. 86-3-104. Prohibited parking.
- Sec. 86-3-105. Additional parking regulations.
- Sec. 86-3-106. Illegally parked vehicle to be moved or impounded.
- Sec. 86-3-107. Parking regulations applicable to public school grounds.
- Sec. 86-3-108. Prohibited parking of vehicles on the street.
- Sec. 86-3-109. Prohibited parking of vehicles leaking fluids.
- Sec. 86-3-110. Vacant Lots or parking lots used as used car lots.

## **Chapter 4. Traffic Control Signs, Signals and Devices**

- Sec. 86-4-101. Traffic control signals.
- Sec. 86-4-102. Stop signs.
- Sec. 86-4-103. Yield signs.
- Sec. 86-4-104. Maintenance of traffic control devices.

## TRAFFIC AND VEHICLES

### Chapter 5. Motorcycles and Bicycles

#### Part 1. Generally

- Sec. 86-5-101. Traffic laws apply.
- Sec. 86-5-102. Obedience to traffic control devices.
- Sec. 86-5-103. Equipment.
- Sec. 86-5-104. Use of traffic lane.
- Sec. 86-5-105. Motorcycle passengers.
- Sec. 86-5-106. Protective headgear.
- Sec. 86-5-107. Riding astride seat.
- Sec. 86-5-108. Clinging to vehicles.
- Sec. 86-5-109. Carrying articles.
- Sec. 86-5-110. Bicycle racing.

#### Part 2. Bicycle Licenses

- Sec. 86-5-201. Definitions.
- Sec. 86-5-202. License requirements.
- Sec. 86-5-203. Inspection and licensing regulations.
- Sec. 86-5-204. Dealer requirements for licensing and inspection.
- Sec. 86-5-205. Serial number requirements.
- Sec. 86-5-206. Selling without title.
- Sec. 86-5-207. Restrictions on dealing with minors.
- Sec. 86-5-208. Removal or alteration of license.

### Chapter 6. Pedestrians

- Sec. 86-6-101. Pedestrians subject to traffic control signals.
- Sec. 86-6-102. Pedestrians' right-of-way.
- Sec. 86-6-103. No passing vehicle stopped at crosswalk.
- Sec. 86-6-104. Pedestrians to yield right-of-way.
- Sec. 86-6-105. Crossing roadway.
- Sec. 86-6-106. Blind persons.
- Sec. 86-6-107. Vehicle crossing sidewalk.
- Sec. 86-6-108. Pedestrians walking along or upon roadways.
- Sec. 86-6-109. Obstructing sidewalks by pedestrians.
- Sec. 86-6-110. Vehicles to exercise due care to avoid pedestrians.
- Sec. 86-6-111. Approach of emergency vehicle.

## TRAFFIC AND VEHICLES

### **Chapter 7. Trucks**

- Sec. 86-7-101. Definitions.
- Sec. 86-7-102. Parking of trucks.
- Sec. 86-7-103. Truck routes.
- Sec. 86-7-104. Loads to be covered.
- Sec. 86-7-105. Violations.

### **Chapter 8. Vehicular Registration, Equipment and Insurance**

- Sec. 86-8-101. Registration of vehicles.
- Sec. 86-8-102. Required equipment.
- Sec. 86-8-103. Safety inspection.
- Sec. 86-8-104. Inspection by peace officer.
- Sec. 86-8-105. Driving without required public liability insurance.
- Sec. 86-8-106. Driving without required no-fault insurance coverage.

### **Chapter 9. Impounds and Abandoned Vehicles**

- Sec. 86-9-101. Towing and impounding of vehicles.
- Sec. 86-9-102. Abandoned vehicles.

## CHAPTER 1. IN GENERAL

### **Sec. 86-1-101. Title.**

This title shall be known and may be cited as the "West Jordan Traffic Code".  
(Code 1987, § 9-1-101)

### **Sec. 86-1-102. Definitions.**

For the purposes of this title, the words and phrases used in this title shall have the meanings and definitions contained in Utah Code Ann. § 41-6-1 unless the context in which they are used indicates a contrary meaning is intended.

(Code 1987, § 9-1-102)

**Cross reference(s)**--Definitions generally, § 1-1-102.

### **Sec. 86-1-103. Applicability and purpose.**

(a) This title governs the parking and movement of motor vehicles, bicycles, pedestrians and other traffic upon the streets, roadways, alleys and public places within the city. The provisions of this title, when defining the duties of drivers of vehicles upon public streets, shall be deemed to include the phrase "upon the streets of the city" as though set forth in this title in its entirety.

(b) By enacting this title and its provisions, the city council intends to exercise all authority granted to it by the state legislature under appropriate statutes.

(c) This title shall be construed to effect the purpose of promoting the safe and orderly movement of traffic within the city, to adequately define the conduct constituting violations, to forbid and prevent their commission, and to prescribe penalties which are proportionate to the seriousness of the violation.

(Code 1987, § 9-1-103)

### **Sec. 86-1-104. Conflict with state law.**

The provisions of this title shall be construed to be in conformity with applicable state law.  
(Code 1987, § 9-1-104)

### **Sec. 86-1-105. Right of real property owners to regulate traffic.**

Nothing in this title shall be construed to prevent the owner of real property, used by the public for purpose of vehicular travel by permission of the owner and not as a matter of right, from prohibiting such use or from requiring other or different or additional conditions than those specified in this title or otherwise regulating such use as may seem best to such owner.

(Code 1987, § 9-1-105)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-18.

## TRAFFIC AND VEHICLES

### **Sec. 86-1-106. Public employees to obey traffic regulations.**

(a) The provisions of this title shall apply to the driver of any vehicle owned or used by or used in the service of the United States government, this state or any political subdivision. It is unlawful for such driver to violate any of the provisions of this title except as otherwise permitted.

(b) The driver of an authorized emergency vehicle when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm may, subject to the conditions stated:

- (1) Park or stand, irrespective of the provisions of this title.
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (3) Exceed the maximum speed limits if such driver does not endanger life or property.
- (4) Disregard regulations governing direction of movement or turning in specified directions.

The exemption granted in this section to an authorized emergency vehicle shall apply only when the driver of any such vehicle, while in motion, sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle; except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from the front of the vehicle. The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor protect the driver from the consequences of an arbitrary exercise of the privileges declared in this section. The provisions of section 86-4-103 shall not relieve the driver of an authorized emergency vehicle from the duty to drive with regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

(c) This title shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

(Code 1987, § 9-1-107)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-165.5.

### **Sec. 86-1-107. Persons riding or driving animals to obey regulations.**

Every person riding an animal or driving any animal-drawn vehicle upon a roadway is subject to this title, except those provisions which by their nature can have no application.

(Code 1987, § 9-1-108)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-15.

WEST JORDAN MUNICIPAL CODE

**Sec. 86-1-108. Requiring or knowingly permitting driver to unlawfully operate vehicle.**

(a) It is unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle to require or knowingly permit the operation of such vehicle upon a roadway in any manner contrary to the provisions of this title.

(b) It is unlawful for the parent or custodian of any child and the guardian of any ward or person having charge of any blind, confused or incapacitated person to authorize or knowingly permit any such person to violate any provisions of this title.

(Code 1987, § 9-1-109)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-165.

**Sec. 86-1-109. Obedience to police officer.**

It is unlawful for any person to willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic.

(Code 1987, § 9-1-110)

**Sec. 86-1-110. Failure to respond to officer's signal to stop.**

It is unlawful and punishable as a class B misdemeanor for any driver, having received a visual or audible signal from a police officer, to fail to bring his vehicle to a stop, to operate his vehicle in willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle or any other vehicle or person or to increase his speed and attempt to flee or elude the police officer.

(Code 1987, § 9-1-111)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-13, 53-3-220.

**Sec. 86-1-111. Property owner to remove obstructions.**

(a) It is unlawful for the owner of real property to fail to remove from his property any tree, plant, shrub or other obstruction which, by obstructing the view of any driver, constitutes a traffic hazard.

(b) When the city manager determines upon the basis of an engineering and traffic investigation that such hazard exists, he shall notify the owner and order that the hazard be removed within ten days.

(c) The failure of the owner to remove such traffic hazard within ten days shall be punished by a fine of \$50.00. Every day the owner shall fail to remove the traffic hazard shall be a separate and distinct offense.

(Code 1987, § 9-1-112)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-19.

**Sec. 86-1-112. Adoption of state driving rules and regulations.**

(a) Notwithstanding anything in this title to the contrary, the provisions of Utah Code

## TRAFFIC AND VEHICLES

Ann. § 41-1a-101 et seq. or such other compilation of statutes hereafter adopted pertaining to the licensing of drivers, the registration and insurance of vehicles upon the public roadways, and the movement and parking of vehicular traffic upon the public roadways, are adopted and made part of this title, as though such provisions were set forth in this section in their entirety.

(b) For the purposes of subsection (a) of this section, as used in the statutes so adopted by reference, the following words and phrases have the following meanings, unless a contrary meaning is intended:

- (1) Department refers to the city, the city council, or the appropriate officer or employee of the city, as appropriate.
- (2) Highway refers to any public roadway or street, regardless of which agency or jurisdiction has responsibility for maintenance and ownership of the roadway or street.

(c) It is unlawful to violate any provision of the state driving rules and regulations adopted pursuant to subsection (a) of this section, provided that such conduct or omission is designated as unlawful or for which conduct or omission a criminal penalty is specified by state statute. For any information or citation charging a violation of such state code provisions, it shall be sufficient reference to such provisions to state the general name or description of the charged offense and a reference to this section of this Code or to a four-part number, the first digit of which is a "9", followed by a second set of digits which is a "41," and the remaining two sets of digits are the code section numbers of such provisions, as such are codified within Utah Code Ann. § 41-1a-101 et seq. The fact that such provisions are incorporated by reference to be a part of this title shall not be deemed to mean that a violation of these provisions is not a violation of a city ordinance and that the disposition of any fine, forfeiture or bail should be any different that for any other municipal ordinance violation, whether such refers to state law or not.  
(Code 1987, § 9-1-113)

### **Sec. 86-1-113. Traffic regulations applicable to public school grounds.**

(a) Pursuant to the provisions of Utah Code Ann. § 53A-3-504, and at the request of the board of education of the Jordan School District, the traffic rules and regulations adopted pursuant to this title shall be applicable upon the real property which is located within the city and belongs to or is controlled by the board of education.

(b) Notwithstanding any provisions contained in this title to the contrary, the following driving rules and regulations shall, in case of conflict, take precedence over such other provisions applicable to such school properties:

- (1) The maximum speed limit for motor vehicles on school premises is ten miles per hour.
- (2) Vehicular traffic is limited to entering, exiting and parking. Cruising and loitering is unlawful.

## WEST JORDAN MUNICIPAL CODE

(3) All vehicles are restricted to designated roadways. It is unlawful to drive any motorized vehicle on a lawn, path or other prohibited area.

(c) Regulations for parking and registration of student's vehicles for parking on school grounds are contained in section 86-3-107.

(d) It is unlawful to violate the provisions of subsection (b) of this section.  
(Code 1987, § 9-1-114)

### **Sec. 86-1-114. Penalties.**

Any person convicted of violating any provision of this title by conduct which is indicated to be unlawful and for which no other specific maximum punishment is indicated may be punished with the punishment specified for conviction of an infraction, except for a conviction for:

- (1) Violation of section 86-1-110, pertaining to fleeing from a police officer;
- (2) Violation of subsection (c) of section 86-2-101, pertaining to operating a motor vehicle while driving privileges have been revoked, suspended or disqualified;
- (3) Violation of section 86-8-105 or 86-8-106, pertaining to operating a motor vehicle without the required insurance coverage;
- (4) Violation of section 86-2-104, pertaining to operating a motor vehicle while under the influence of alcohol or drugs or the combination of alcohol and drugs or while the blood-alcohol concentration is in excess of certain limits;
- (5) Violation of section 86-2-105, pertaining to the offense of alcohol-related reckless driving; or
- (6) Violation of section 86-2-128, pertaining to the offense of reckless driving.

The above-enumerated offenses are misdemeanors and may be punished with the punishment specified for misdemeanors under subsection (a) of section 1-1-114.

(Code 1987, § 9-1-115)

## CHAPTER 2. OPERATION OF VEHICLES

### PART 1. GENERALLY

#### **Sec. 86-2-101. Driver's license.**

(a) It is unlawful for any person to drive a motor vehicle unless such person has been granted driving privileges by the state or by the state or country in which he has domicile or residence.

## TRAFFIC AND VEHICLES

(b) It is unlawful for any person to drive a motor vehicle in any manner in violation of the restrictions or limitations imposed upon his driving privileges by the state or country which granted such driving privileges.

(c) It is unlawful for any person to drive a motor vehicle while his driving privileges have been suspended, denied, disqualified or revoked by the state or country which granted such driving privileges or to which application was made for such driving privileges. A violation of the foregoing is a class B misdemeanor if the violation was committed while the driving privileges were suspended, disqualified or revoked for refusal to submit to a chemical test following arrest upon a reasonable grounds for the offense of operating a vehicle while under the influence of alcohol or drugs or a combination of alcohol and drugs or for the offense of operating a motor vehicle with a blood-alcohol concentration in excess of that permitted by law.

(d) It is unlawful for any person under the age of 16 years to drive a motor vehicle.

(e) It is unlawful for any person to display or cause or permit to be displayed or to have in possession any operator's or chauffeur's license knowing the license to be fictitious, canceled, revoked, suspended, altered or fraudulently obtained.

(f) It is unlawful for any person, for the purpose of misleading or deceiving a police officer or other person as to his true identity or age, to exhibit a driver's license which has been issued to another person.

(g) It is unlawful for any person to drive a motor vehicle upon a roadway when the driving privileges of that person have expired.

(h) It is unlawful for any person to drive a motor vehicle upon a roadway unless the person has in his immediate possession a valid driver's license or other official documentation evidencing the privilege to drive a motor vehicle upon a roadway. It shall be a defense to a charge under this subsection that the person so charged produce in court an operator's license heretofore issued to such person and valid at the time of the charged violation.

(i) It is unlawful for any person to drive a motor vehicle if the driving privileges, as indicated by the driver's license or other document issued by the state or governmental authority granting such driving privileges, have expired.

(j) It is unlawful for a person to drive a motor vehicle unless he shall have in his immediate possession at all times when operating a motor vehicle the driver's license issued by the authority granting him the privilege to drive the motor vehicle. The person shall display the license upon demand of a justice of the peace or a peace officer. It is a defense to a charge under this subsection that the person charged produces in court a license issued to him and valid at the time of his citation or arrest.

(Code 1987, § 9-2-101)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 53-3-227, 53-3-230.

**Sec. 86-2-102. Incapable or impaired driver.**

WEST JORDAN MUNICIPAL CODE

It is unlawful for any person to drive or operate a vehicle while his ability or alertness is so impaired through fatigue, illness or any other cause as to make it unsafe for him to drive such vehicle. (Code 1987, § 9-2-102)

**Sec. 86-2-103. Permitting incompetent to drive.**

It is unlawful for any owner, driver or person in control of a motor vehicle to knowingly permit the vehicle to be operated by any person prohibited by section 86-2-101 or 86-2-102 from driving, to drive the vehicle.

(Code 1987, § 9-2-103)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-165.

**Sec. 86-2-104. Driving under the influence of alcohol or drugs.**

(a) It is unlawful for any person who is under the influence of alcohol, or who has a blood alcohol content of 0.08 percent or greater by weight, or who is under the influence of alcohol or any drug or the combined influence of alcohol and any drug to a degree which renders the person incapable of safely driving a vehicle, to drive or be in actual physical control of any vehicle.

(b) The fact that the person charged with violating subsection (a) of this section is or has been legally entitled to use alcohol or a drug does not constitute a defense against any charge of violating subsection (a) of this section.

(c) A violation of subsection (a) of this section shall be punished by imprisonment for not less than 60 days nor more than six months or by a fine not exceeding \$1,000.00 or by both such fine and imprisonment.

(d) In addition to the penalties provided for in subsection (c) of this section, the court shall, upon a conviction of a violation of subsection (a) of this section occurring not within five years after an earlier conviction of a violation of subsection (a) of this section, section 86-2-105, or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-105, impose a mandatory jail sentence of not less than 48 consecutive hours nor more than 240 hours with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than 24 hours nor more than 80 hours and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility. In addition to the penalties provided for in subsection (c) of this section, the court shall, upon a conviction of a violation of subsection (a) of this section, section 86-2-105 or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-105, impose a mandatory jail sentence of not less than 240 consecutive hours nor more than 720 hours with emphasis on serving in the drunk tank of the jail or require the person to work in a community-service work program for not less than 80 nor more than 240 hours and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a license alcohol rehabilitation facility; and the court may, in its discretion, order the person to obtain treatment at an alcohol rehabilitation facility. In addition to the penalties provided for in subsection (c) of this section, the court shall, upon a conviction of a violation of subsection (a) of this section within five years after an earlier conviction of a violation of

## TRAFFIC AND VEHICLES

subsection (a) of this section, section 86-2-105 or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-105, which earlier conviction constituted a second conviction for an offense prohibited by subsection (a) of this section, section 86-2-105 or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-105, impose a mandatory jail sentence of not less than 720 nor more than 2,160 hours with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work project for not less than 240 hours nor more than 720 hours and, in addition to the jail sentence or work in the community-service work program, order the person to obtain treatment at an alcohol rehabilitation facility. No portion of any sentence imposed under this subsection shall be suspended and the convicted person shall not be eligible for probation until such time as any sentence imposed under this section has been served. Probation resulting from a conviction for a violation of this section shall not be terminated if it is a second or subsequent such conviction within five years, until the convicted person has furnished evidence satisfactory to the state department of public safety that all fines and fees, including fees for restitution, and rehabilitation costs assessed against the person, have been paid.

(Code 1987, § 9-5-201)

**Cross reference(s)**--Alcoholic beverages, tit. 6; alcohol and other intoxicants, § 54-7-201 et seq.; controlled substances, § 54-7-301 et seq.

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-43, 41-6-44.

### **Sec. 86-2-105. Alcohol-related reckless driving.**

(a) It is unlawful for any person, having consumed any alcoholic beverage or drugs or combination of alcoholic beverage and drugs such that his ability to safely drive or operate a motor vehicle is impaired, to drive any vehicle in willful or wanton disregard for the safety of persons or property.

(b) The fact that the person charged with violating subsection (a) of this section is or has been legally entitled to use alcohol or a drug does not constitute a defense against any charge of violating subsection (a) of this section.

(c) A violation of subsection (a) of this section shall be punished by imprisonment for a period of not less than 60 days nor more than six months or by a fine not exceeding \$1,000.00 or by both such fine and imprisonment.

(d) In addition to the penalties provided for in subsection (c) of this section, the court shall, upon conviction of a violation of subsection (a) of this section occurring not within five years after an earlier violation of subsection (a) of this section, section 86-2-104 or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-104, impose a mandatory jail sentence of not less than 48 consecutive hours nor more than 240 hours with emphasis on serving in the drunk tank of the jail or require the person to work in a community-service work program for not less than 24 hours nor more than 80 hours and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility. In addition to the penalties provided for in subsection (c) of this section, the court shall, upon a conviction of a violation of subsection (a) of this section within five years after an earlier conviction of a violation of subsection (a) of this section, section 86-2-104 or another local ordinance or state statute similar to subsection (a) of this section or

## WEST JORDAN MUNICIPAL CODE

section 86-2-104, impose a mandatory jail sentence of not less than 240 consecutive hours, nor more than 720 hours with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than 80 hours nor more than 240 hours and, in addition to the jail sentence or work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility; and the court may, in its discretion, order the person to obtain treatment at an alcohol rehabilitation facility. In addition to the penalties provided for in subsection (c) of this section, the court shall, upon a conviction of a violation of subsection (a) of this section within five years after an earlier conviction of a violation of subsection (a) of this section, section 86-2-104 or another local ordinance or state statute similar to subsection (a) of this section or section 86-2-104, which earlier conviction constituted a second conviction for an offense prohibited by subsection (a) of this section, section 86-2-104 or another local ordinance or state statute similar to subsection (a) of this section or to section 86-2-104, impose a mandatory jail sentence of not less than 720 nor more than 2,160 hours with emphasis on serving in the drunk tank of the jail or require the person to work in a community-service work project for not less than 240 nor more than 720 hours and, in addition to the jail sentence or work in the community-service work program, order the person to obtain treatment at an alcohol rehabilitation facility. No portion of any sentence imposed under this section shall be suspended and the convicted person shall not be eligible for probation until such time as any sentence imposed under this section has been served. Probation resulting from a conviction for a violation of this section shall not be terminated if it is a second or subsequent such conviction within five years until the convicted person has furnished evidence satisfactory to the state department of public safety that all fines and fees, including fees for restitution, and rehabilitation costs assessed against the person have been paid.

(e) When the prosecution agrees to a plea of guilty or no contest to a charge of a violation of subsection (a) of this section in satisfaction of or as a substitute for an original charge of a violation of section 86-2-104, the prosecution shall state for the record a factual basis for the plea, including whether or not there had been consumption of alcohol or drugs or a combination of both by the defendant in connection with the offense. The statement shall be an offer of proof of the facts which show whether or not there was consumption of both, by the defendant, in connection with the offense. The court shall advise the defendant before accepting the plea offered under this subsection of the consequences of a violation of this section as follows: If the court accepts the defendant's plea of guilty or no contest to a charge violating subsection (a) of this section, the resulting conviction shall be a prior offense for the purposes of state statutes and municipal ordinances providing for enhanced penalties for subsequent alcohol-related driving offenses.

(Code 1987, § 9-5-202)

**Cross reference(s)**--Alcoholic beverages, tit. 6.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-44(10).

### **Sec. 86-2-106. Open container in vehicle.**

(a) It is unlawful for any person to drink any alcoholic beverage while driving a motor vehicle, while a passenger in a motor vehicle, or while riding upon a motorcycle, whether the vehicle is moving, stopped or parked on any street or highway.

(b) It is unlawful for any person to keep, carry, possess, transport or allow another to keep, carry, possess or transport in the passenger compartment of a motor vehicle, when the vehicle is

## TRAFFIC AND VEHICLES

on any public street or highway, any container whatsoever which contains an alcoholic beverage if the container has been opened, the seal broken or the contents of the container partially consumed.

(c) For the purposes of this section:

(1) Passenger compartment means the area of the vehicle normally occupied by the driver and his passengers and includes areas accessible to them while traveling such as a utility or glove compartment, but does not include a separate front or rear trunk compartment or other area of the vehicle not accessible to the driver or passengers while inside the vehicle.

(2) Alcoholic beverage shall have the meaning as provided in Utah Code Ann. § 32-1-3.

(d) The provisions of subsections (a) and (b) of this section shall not apply to passengers in the living quarters of a motor home or camper. The provisions of subsection (b) of this section shall not apply to passengers traveling in any duly licensed taxicab or bus.

(Code 1987, § 9-5-203)

**Cross reference(s)**--Alcoholic beverages, tit. 6.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-44.20.

### **Sec. 86-2-107. Intoxicated person in or about a vehicle.**

(a) It is unlawful for any person who is under the influence of alcohol, or who has a blood alcohol content of 0.08 percent or greater by weight, or who is under the influence of alcohol or any drug or the combined influence of alcohol and any drug to a degree which renders the person incapable of safely driving a vehicle, to be in or about any vehicle with the intention of driving or operating such vehicle.

(b) The fact that the person charged with violating subsection (a) of this section is or has been legally entitled to use alcohol or a drug does not constitute a defense against any charge of violating subsection (a) of this section.

(Code 1987, § 9-5-204)

**Cross reference(s)**--Alcoholic beverages, tit. 6.

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-43, 41-6-44, 41-6-44.10.

### **Sec. 86-2-108. Approach of emergency vehicle.**

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible or visual emergency signal 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 relieve the driver of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons using the roadway.

(Code 1987, § 9-5-701)

WEST JORDAN MUNICIPAL CODE

**Cross reference(s)**--Emergency services, tit. 38.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-76.

**Sec. 86-2-109. Backing.**

(a) It is unlawful for a person to back a vehicle unless such movement can be made with safety and without interfering with other traffic.

(b) No vehicle shall be backed around a corner of any intersection.

(c) The driver of any vehicle while backing such a vehicle from a driveway onto a street with a marked centerline on it shall not back across the centerline, but shall back only into the nearest traffic lane and shall then proceed forward only in the direction of proper traffic travel for such lane of traffic.

(Code 1987, § 9-5-702)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-106.

**Sec. 86-2-110. Child restraining devices.**

(a) It is unlawful for a parent or legal guardian driver who is transporting his child in a motor vehicle on a highway to fail to:

(1) Provide for the protection of a child younger than two years of age by using a child restraint device approved by the commissioner of public safety to restrain the child in the manner prescribed by the manufacturer.

(2) Provide for the protection of a child two years of age or older, who is not yet five years of age, by using either a child restraining device or a safety belt approved by the commissioner of public safety to restrain the child in the manner prescribed by the manufacturer.

(b) Subsection (a) of this section does not apply where all seating positions which can be equipped with child restraint devices or safety belts are occupied by other passengers.

(c) A driver convicted of a violation of this section is guilty of an infraction and shall be fined not more than \$20.00 per offense. The court in which a charge is pending shall dismiss the action against a driver who, during or before any court appearance on the matter, submits proof of acquisition, rental or purchase of a child restraint device or safety belt as required by subsection (a) of this section.

(d) This section does not apply to emergency vehicles; mopeds; campers; sleepers; motorcycles; motorhomes; school buses; taxicabs; vehicles owned, operated or leased by a public transit district; commercial vehicles owned or operated by persons holding a certificate of convenience and necessity issued by the public service commission; or vehicles which weigh over 10,000 pounds gross weight and are not equipped with seat belts by the manufacturer.

(Code 1987, § 9-5-703)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-148.20.

## TRAFFIC AND VEHICLES

### **Sec. 86-2-111. Control by driver.**

It is unlawful for any driver to engage in any activity that interferes with the safe control of his vehicle while the vehicle is in motion.  
(Code 1987, § 9-5-704)

### **Sec. 86-2-112. Cutting through corners.**

It is unlawful for any person to drive a motor vehicle through any private driveway, lot or similar area, whether vacant or not, for the purpose and with the intent of avoiding obedience to any traffic regulation or for the purpose and with intent of harassing and annoying the owner or his patrons.  
(Code 1987, § 9-5-705)

### **Sec. 86-2-113. Driving on new pavement or wet paint.**

It is unlawful for any person to drive, ride or cause to be driven or ridden any animal or ride, drive or propel or cause to be ridden, driven or propelled any vehicle over or across any newly made pavement or freshly painted area on any public street, across or around which pavement there is a barrier or at, over or near which there is a person or a sign warning persons not to drive over or across such pavement or freshly painted area or a sign stating that the street is closed.  
(Code 1987, § 9-5-706)

### **Sec. 86-2-114. Driving or riding on sidewalk.**

It is unlawful for any person to drive, back, ride or cause to be driven, backed or ridden any vehicle upon, over or across any public curbing or public sidewalk at any place other than duly constructed or prepared driveway. This prohibition shall not apply to a motor vehicle driven by an employee of the United States Postal Service or a contractor operating under license from the United States Postal Service, when such driver is making a mail delivery to a curbside mail box and the vehicle is temporarily driven, for a short distance, upon the sidewalk which is not separated from the curb by a park strip and if the driver exercises due care for the safety of pedestrians and other property lawfully upon the sidewalk.  
(Code 1987, § 9-5-707)

**Cross reference(s)**--Streets, sidewalks and other public places, tit. 74.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-106.10.

### **Sec. 86-2-115. Fire apparatus.**

(a) It is unlawful for any driver to follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or stop such vehicle within 500 feet of any fire apparatus which has stopped in answer to a fire alarm.

(b) It is unlawful to drive any vehicle over an unprotected hose of a fire department

WEST JORDAN MUNICIPAL CODE

when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

(Code 1987, § 9-5-708)

**Cross reference(s)**--Fire prevention and protection, tit. 46.

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-112, 41-6-113.

**Sec. 86-2-116. Following another vehicle.**

(a) It is unlawful for any motor vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon the condition of the roadway.

(b) The driver of any truck or motor vehicle drawing another vehicle which is following another vehicle drawing another motor vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger; except that this shall not prevent a motor vehicle drawing another vehicle from overtaking and passing any vehicle or combinations of vehicles.

(c) Motor vehicles being driven upon any roadway in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any overtaking vehicle to enter and occupy such space without danger.

(Code 1987, § 9-5-709)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-62.

**Sec. 86-2-117. Funeral identification and right-of-way.**

(a) Each motor vehicle participating in a funeral procession shall display illuminated headlights and shall follow not more than 30 feet behind the preceding motor vehicle in such funeral procession, and such funeral procession must obey all traffic regulations and traffic control devices unless at the time the individual automobiles in such procession are otherwise directed by a police officer.

(b) A driver in a funeral procession shall drive as near to the right-hand edge of the roadway as possible unless a left turn is contemplated.

(Code 1987, § 9-5-710)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-62.

**Sec. 86-2-118. Improper lookout.**

It is unlawful for any person to drive a vehicle on the roadway without keeping a reasonable and proper lookout for other traffic, objects, fixtures or property on or adjacent to the roadway.

(Code 1987, § 9-5-711)

**Sec. 86-2-119. Interference with safe operation of vehicle.**

It is unlawful for any person to engage in any activity or do any act which interferes with the

## TRAFFIC AND VEHICLES

safe operation of any vehicle.

(Code 1987, § 9-5-712)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-109.

### **Sec. 86-2-120. Littering and materials on roadway.**

(a) It is unlawful for any person to throw, deposit or discard, or to permit to be dropped, thrown, deposited or discarded upon any public roadway, highway, park, recreation area or other public or private land, or waterway, any glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, paper or paper products, rock, gravel, or any other substance or material which would or could mar or impair the scenic aspect or beauty of such land whether under private, state, county, municipal or federal ownership without the permission of the owner or person having control or custody of land.

(b) Any person who drops, throws, deposits or discards, or permits to be dropped, thrown, deposited or discarded, upon any public road, highway, park, recreation area or other public or private land or waterway any destructive, injurious or unsightly material shall immediately remove the material or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a public road, highway, park or recreation area or other public or private land shall remove any glass or other injurious substance dropped upon the road or highway or in the park, recreation area or other public or private land for such vehicle.

(d) It is unlawful for any person to throw any lighted material from a moving vehicle.

(e) Each operator of a park, campground, trailer park, drive-in restaurant, gasoline service station, shopping center, grocery store parking lot, tavern parking lot, parking lots or industrial firm shall maintain sufficient litter receptacles on the premises to accommodate the litter that accumulates there.

(f) Any person violating any of the provisions of subsections (a)--(e) of this section shall be fined not less than \$25.00 for each violation, provided the sentencing judge may also impose as additional penalties the requirements that the offender shall devote at least one hour in cleaning up any litter caused by such person and cleaning up any existing litter from a safe area designated by the sentencing judge.

(g) No vehicle shall be driven or moved on any street unless such vehicle is so constructed as to prevent its contents from dropping, sifting, leaking or otherwise escaping; except that sand or other abrasives may be dropped for the purpose of securing traction, and water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(h) No person shall operate on any street any vehicle with any load unless the load and any covering on the load is suitably fastened, secured and confined according to the nature of such load so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the street.

WEST JORDAN MUNICIPAL CODE

(i) The provisions of this section shall not apply to street maintenance crews nor to other persons who have received proper authorization from the city manager.  
(Code 1987, § 9-5-713)

**Cross reference(s)**--Solid waste, tit. 70.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-114.

**Sec. 86-2-121. Negligently colliding.**

It is unlawful for any person to operate a vehicle with such lack of due care and in such negligent manner as to cause the vehicle to collide with any vehicle, person or object.  
(Code 1987, § 9-5-714)

**Sec. 86-2-122. Obstruction to driver's view or driving mechanism.**

(a) It is unlawful for any person to 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 as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) It is unlawful for any passenger in a vehicle to 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 1987, § 9-5-715)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-109.

**Sec. 86-2-123. One-arm driving.**

It is unlawful for any driver to have either arm around another person while the vehicle is in motion.  
(Code 1987, § 9-5-716)

**Sec. 86-2-124. One-way traffic.**

It is unlawful for any person to drive a vehicle in the opposing direction upon any roadway designated for one-way traffic.  
(Code 1987, § 9-5-717)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-60.

**Sec. 86-2-125. Opening door.**

(a) It is unlawful for any person to open the door of or enter or emerge from any vehicle in the path of any approaching vehicle.

(b) It is unlawful for any person to open any vehicle door at any time when such vehicle is in motion.

(c) It is unlawful for any person to open the door of a motor vehicle on a side available

## TRAFFIC AND VEHICLES

to moving traffic unless and until it is safe to do so and can be done without interfering with the movement of other traffic.

(d) It is unlawful for any person to leave a door open on a side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

(Code 1987, § 9-5-718)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-108.10.

### **Sec. 86-2-126. Parades and procession permits.**

(a) No procession or parade, except a funeral procession, shall occupy or proceed along any street except in accordance with a permit issued by the director of public safety. All requests for such permits shall state the time, place of formation, proposed line of march, destination and such other information as the director of public safety may require. Any procession or parade proceeding in accordance with the permit provided may be authorized by the director of public safety to disregard traffic devices.

(b) It is unlawful to throw candy or any other object from any vehicle, float, trailer or other conveyance when such vehicle, float, trailer or conveyance is in a parade on the public streets.

(Ord. No. 974, § 1(9-5-719), 5-23-1995)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-62.

### **Sec. 86-2-127. Passenger riding in improper portion of vehicle.**

It is unlawful for any person to ride and any person driving a motor vehicle to knowingly permit any person to ride upon any portion of any vehicle not designed or intended for the use of passengers. This provision shall not apply to any vehicle driven elsewhere than upon a street or to an employee engaged in the necessary discharge of his duty or to person riding entirely within or upon any motor vehicle in space intended for any load on the vehicle.

(Code 1987, § 9-5-720)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-108.

### **Sec. 86-2-128. Reckless driving.**

(a) It is unlawful for any person to drive any vehicle in willful or wanton disregard for the safety of person or property.

(b) Every person convicted of any violation of subsection (a) of this section shall be punished by imprisonment for a period of not less than five days nor more than six months or by a fine of not less than \$25.00 nor more than \$1,000.00 or by both such fine and imprisonment.

(Code 1987, § 9-5-721)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-45.

### **Sec. 86-2-129. Safety zone.**

It is unlawful for any driver to drive any vehicle through or within a safety zone, dividing section, roadway traffic island or any area within or along a roadway from which vehicular traffic is

WEST JORDAN MUNICIPAL CODE

intended to be excluded.

(Code 1987, § 9-5-722)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-94, 41-6-114.2.

**Sec. 86-2-130. Seating.**

It is unlawful for any driver to have in his lap any other person or animal or to be seated in the lap of any person while the vehicle is in motion.

(Code 1987, § 9-5-723)

**Sec. 86-2-131. Duty of drivers approaching stopped school buses.**

(a) A driver of any vehicle upon a highway, street or road, upon meeting or overtaking any school bus which has stopped on a roadway for the purpose of receiving or discharging any schoolchildren and when the school bus is displaying alternating flashing red lights signals visible from the front or rear, shall bring such vehicle to a stop immediately before reaching the school bus and shall not proceed until the flashing signals cease. The driver of a vehicle upon a roadway which is separated by a dividing section from the roadway upon which the school bus is located need not stop upon meeting or passing such school bus with such flashing signals in operation.

(b) The driver of a school bus shall operate the signal at all times when children are unloading from a school bus to cross a roadway or when a school bus is stopped for the purpose of loading children who must cross a roadway to board the bus or at any time when it would be hazardous for vehicles to proceed past the stopped school bus. Such alternating flashing red signal shall not otherwise be operated.

(Code 1987, § 9-5-724)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-100.10.

**Sec. 86-2-132. Sleds.**

It is unlawful for the driver or any person in charge of any vehicle to knowingly drive or operate such vehicle while any sled, toboggan, sleigh, coaster, roller skates or toy vehicle is attached to or connected with such vehicle or to permit any sled or other similar conveyance to be attached to or connected with the vehicle upon any roadway.

(Code 1987, § 9-5-725)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-86.

**Sec. 86-2-133. Standing on seat.**

It is unlawful for any driver to operate any vehicle while any person or child is standing on a seat within such vehicle.

(Code 1987, § 9-5-726)

**Sec. 86-2-134. Starting vehicles.**

It is unlawful for any person to set into motion any vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

(Code 1987, § 9-5-727)

## TRAFFIC AND VEHICLES

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-68.

### **Sec. 86-2-135. Stop when traffic obstructed.**

It is unlawful for any driver to enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(Code 1987, § 9-5-728)

### **Sec. 86-2-136. Sudden stop.**

It is unlawful for any person to stop suddenly or decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(Code 1987, § 9-5-729)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-69.

### **Sec. 86-2-137. Tampering with vehicle.**

It is unlawful for any person to climb upon or into or swing upon or hold on to the outside of any motor vehicle whether the vehicle is in motion or at rest; sound any horn or any other signaling devices or attempt to manipulate any of the levers, the starter, brakes or machinery; or set such vehicle in motion or damage, tamper or interfere with the vehicle. This provision shall not apply to person with authority of the owner or the person lawfully in charge of a motor vehicle while such motor vehicle is at rest.

(Code 1987, § 9-5-730)

### **Sec. 86-2-138. Television sets in vehicles.**

It is unlawful for any person to operate or have upon any street any motor vehicle which is equipped or provided with a television so placed that it can be operated, used or observed by the driver of such motor vehicle.

(Code 1987, § 9-5-731)

### **Sec. 86-2-139. Passenger restraining devices (seat belts).**

(a) Except as provided in section 86-2-110 for children under five years of age and except as provided in subsection (b) of this section for passengers who are at least five years of age but younger than 18 years of age, the driver and front seat passengers of a motor vehicle operated on a roadway shall wear a properly adjusted and fastened safety belt system, which meets standards promulgated by the state department of public safety. The driver of a motor vehicle shall secure or cause to be secured a properly adjusted and fastened safety seat belt system on any passenger in the front seat who is at least five years of age but younger than 18 years of age.

(b) This section does not apply to a driver or front seat passenger of a motor vehicle:

## WEST JORDAN MUNICIPAL CODE

- (1) Manufactured before July 1, 1966;
  - (2) In which the driver or passengers possesses a written verification from a licensed physician that the driver or passenger is unable to wear a safety belt system for physical or medical reasons;
  - (3) Which is not required to be equipped with a safety seat belt system under federal law;
  - (4) Operated by a rural letter carrier of the United States Postal Service while performing the duties of a rural letter carrier; or
  - (5) Engaged in pickup, delivery or service operations involving repeated starts and stops and requiring the front seat occupant to frequently and repeatedly enter and leave the vehicle.
- (c) Enforcement of this section by law enforcement agents shall be only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another offense.
- (d) A person who violates this section shall be punished by a fine not exceeding \$10.00.
- (e) The failure to wear a seat belt does not constitute contributory or comparative negligence and may not be introduced as evidence in any civil litigation on the issue of injuries or on the issue of mitigation of damages.

(Code 1987, § 9-5-732)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-181 et seq.

### **Sec. 86-2-140. Headlights and other illuminating devices.**

It is unlawful for any person to drive a motor vehicle upon a roadway at any time from one-half hour after sunset to one-half hour before sunrise or at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the roadway are not clearly discernible at a distance of 1,000 feet ahead unless such vehicle is equipped with lighted headlights, taillights and other illuminating devices, each in operating condition and adjustment, as required by state statute.

(Code 1987, § 9-5-733)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-118.

## PART 2. ACCIDENTS

### **Sec. 86-2-201. Accident involving injury or death.**

The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close to the scene as possible

## TRAFFIC AND VEHICLES

and shall forthwith return to and in every event shall remain at the scene of the accident until he has given his name, address and the registration number of the vehicle he is driving and shall upon request exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or the person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such assistance is requested by the injured person.

(Code 1987, § 9-9-101)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-31.

### **Sec. 86-2-202. Accident involving attended vehicle or property.**

The driver of any vehicle which collides with or is involved in an accident resulting only in damage to a vehicle or other property which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close to the scene as possible and shall forthwith return to and in every event shall remain at the scene of such accident until he has given his name, address and the registration number of the vehicle he is driving and shall upon request exhibit his operator's or chauffeur's license to the person struck, the driver or occupant of or the person attending the vehicle collided with, or the owner of the property damaged.

(Code 1987, § 9-9-102)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-30.

### **Sec. 86-2-203. Collision with unattended vehicle or property.**

The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended which results in damage to the other vehicle or property shall immediately stop and shall either locate and notify the operator or owner of such vehicle or other property of such driver's name and address and the registration number of the vehicle causing such damage or shall attach securely in a conspicuous place on the vehicle or other property a written notice giving such driver's name and address and the registration number of the vehicle causing such damage.

(Code 1987, § 9-9-103)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-32.

### **Sec. 86-2-204. Stopping not to obstruct traffic.**

Every stop made pursuant to sections 86-2-201 through 86-2-203 shall be made without obstructing traffic more than is necessary.

(Code 1987, § 9-9-104)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-29--41-6-32.

### **Sec. 86-2-205. Duty to notify police.**

(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 extent of \$400.00 or more shall immediately by the quickest means of communication give notice of such accident to the police department.

WEST JORDAN MUNICIPAL CODE

(b) Whenever the driver of a vehicle is physically incapable of giving immediate notice as required by subsection (a) of this section 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 immediately by the quickest means of communication notice of such accident to the police department.

(c) Any person who fails to comply with the provisions of this section is guilty of an infraction.

(Code 1987, § 9-9-105)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-31.

**Sec. 86-2-206. False identity or false information concerning accident.**

(a) It is unlawful for any person to knowingly and willfully give to a peace officer investigating an accident or any act believed by the officer to be unlawful, false information concerning the identity of any person who has been involved in the accident or has committed the act investigated or to knowingly and willfully mislead such officer concerning the identity of such person.

(b) It is unlawful for any person to knowingly and willfully refuse to reveal, upon demand of a peace officer investigating any accident or any act believed by the officer to be unlawful, any information in his possession concerning the identity of the person involved in the accident or committing the act investigated.

(Code 1987, § 9-9-106)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-40(3), 76-8-506, 76-8-507.

**Sec. 86-2-207. Garage keeper to report damaged vehicle.**

(a) The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident involving death or injury to any person or property damage to an apparent extent of \$400.00 or more or struck by any bullet shall report to the police department within 24 hours after such vehicle is received, giving the engine number, registration number, and the name and address of the owner or operator of such vehicle.

(b) If a damaged vehicle sticker describing the damage is affixed to the vehicle, the person in charge of the garage or repair shop is not obligated to give the notification required by subsection (a) of this section.

(Code 1987, § 9-9-107)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-39.

**Sec. 86-2-208. Duty under state law.**

Nothing in this part shall be construed to relieve any driver or other person involved in an accident of any duty or obligation concerning the reporting of such accident imposed by the Utah Motor Vehicle Act, Utah Code Ann. § 41-1a-101 et seq.

(Code 1987, § 9-9-108)

TRAFFIC AND VEHICLES  
PART 3. OVERTAKING AND PASSING

**Sec. 86-2-301. Duty to drive on right side of roadway.**

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

- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (2) When an obstruction exists making it necessary to drive to the left of the center of the roadway, provided any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portions of the roadway within such distance as to constitute an immediate hazard;
- (3) Upon a roadway divided into three marked lanes for traffic under the rules applicable on such roadway; or
- (4) Upon a roadway designed and signposted for one-way traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven in the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(Code 1987, § 9-5-401)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-53.

**Sec. 86-2-302. Passing vehicles proceeding in opposite directions.**

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

(Code 1987, § 9-5-402)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-54.

**Sec. 86-2-303. Overtaking and passing vehicles proceeding in same direction.**

Except as otherwise provided in this part:

- (1) The driver of a vehicle overtaking another vehicle proceeding in same direction shall pass to the left of the vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (2) 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.

WEST JORDAN MUNICIPAL CODE

- (3) On a road having more than one lane in the same direction, the driver of a vehicle traveling in a left lane shall, upon being overtaken by another vehicle in the same lane who gives audible signal or visible headlight signal, yield to the overtaking vehicle by moving safely to the right and shall not impede the movement or free flow of traffic in a left lane except:
- a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing this movement;
  - b. When preparing to turn left;
  - c. When reasonably necessary in response to emergency conditions;
  - d. To avoid actual or potential traffic moving on to the right lane from an acceleration or merging lane; or
  - e. When necessary to follow the highway direction signs that direct use of a lane other than the right lane.

(Code 1987, § 9-5-403)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-55, 41-6-57.

**Sec. 86-2-304. Passing upon right.**

The driver of a vehicle may overtake and pass upon the right of another vehicle only under conditions permitting such movement with safety, only when such movement can be made without driving off the regularly-traveled portion of the highway, and:

- (1) When the vehicle overtaken is making or about to make a left turn;
- (2) Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle; or
- (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.

(Code 1987, § 9-5-404)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-56.

**Sec. 86-2-305. Passing on left.**

It is unlawful for the driver any vehicle to drive to the left side of the center of the roadway in overtaking or 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 operation of any vehicle approaching from the opposite direction of any vehicle overtaken. The overtaking vehicle must return to an authorized lane of travel as soon as practical and, if the passing movement involves the use of a lane

## TRAFFIC AND VEHICLES

authorized for vehicles approaching in the opposite direction before coming within 200 feet of any vehicle approaching from the opposite direction.

(Code 1987, § 9-5-405)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-57.

### **Sec. 86-2-306. Driving on the left side of the road.**

- (a) It is unlawful for any person to drive any vehicle on the left side of a roadway:
  - (1) When approaching the crest of a grade or upon a curve in the roadway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
  - (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 signs or markings are in place to designate a no passing zone.
- (b) The prohibitions in subsection (a) of this section do not apply:
  - (1) To the conditions described in subsection (a)(2) of section 86-2-301;
  - (2) To a vehicle turning left onto or from any alley, private road or driveway; or
  - (3) Upon a one-way roadway.
- (c) It is unlawful for any person to drive any vehicle on a roadway to the left of:
  - (1) A double longitudinal centerline, painted yellow; or
  - (2) A single solid yellow, longitudinal line to the right of a centerline marking.

(Code 1987, § 9-5-406)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-58.

### **Sec. 86-2-307. Roadway divided into marked lanes.**

(a) Whenever any roadway has been divided into two or more clearly marked lanes for traffic, 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 ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and

WEST JORDAN MUNICIPAL CODE

passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation of making or completing a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic control devices.

(c) It is unlawful for any person driving any vehicle to fail to obey any official traffic control device directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway.  
(Code 1987, § 9-5-407)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-59.

**Sec. 86-2-308. Weaving.**

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, a vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane or across a lane line without giving the right-of-way to vehicles in the lane to be entered nor until the driver has first ascertained that such movement can be made with safety and he has given the signal prescribed in section 86-2-502.

(Code 1987, § 9-5-408)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-59.

**Sec. 86-2-309. Roadway divided by dividing section.**

(a) Whenever a roadway has been divided into two separate traffic lanes by a dividing section, it is unlawful for any person to drive any vehicle upon any such roadway except to the right of such dividing section or to drive any vehicle over, upon or across any such dividing section or to make any left turn, semicircular turn or U-turn on any such divided roadway, except through a plainly marked opening in such dividing section designed and designated for such left turn, semicircular turn or U-turn, unless an official sign or traffic control device indicate otherwise.

(b) A dividing section shall divide a highway into two separate roadways consisting of:

- (1) An unpaved divided area;
- (2) A physical barrier, curb, or other clearly indicated dividing area so constructed as to impede vehicular traffic across the area; or
- (3) A dividing area of over two feet width defined by either:
  - a. A standard double line marking on each side of the dividing section; or
  - b. Other marking on each side of the dividing section to indicate no vehicle shall be driven to the left of the marking.

(Code 1987, § 9-5-409)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-61.

**Sec. 86-2-310. Islands and markers.**

## TRAFFIC AND VEHICLES

(a) It is unlawful for any person to disobey the directions of any authorized island, marker or other indication placed within an intersection indicating the course to be traveled by vehicles at the intersection.

(b) A vehicle passing around a traffic island shall be driven only to the right of or counterclockwise around such island, unless otherwise indicated.  
(Code 1987, § 9-5-410)

### **Sec. 86-2-311. Merging traffic to yield right-of-way.**

It is unlawful for the driver of any vehicle in a lane that is about to merge into another lane to fail to yield the right-of-way to all vehicles which travel in the lane into which the lane of the driver is merging and which are so close as to be an immediate hazard.

(Code 1987, § 9-5-411)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-75.5.

## PART 4. SPEED

### **Sec. 86-2-401. Speeding and prima facie limit.**

(a) It is unlawful for any person to drive a motor vehicle or ride a bicycle on a roadway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual potential hazards then existing.

(b) In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

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

- (1) When passing a school building or its grounds during school, recess, or while children are going to or leaving school during opening or closing hours, or when passing through a designated school crossing zone, 20 miles per hour.
- (2) Except as posted or otherwise provided, on all roadways and all places, 25 miles per hour.
- (3) On all roadways where the speed limit is posted by proper public authority, such posted speed limit.

(Code 1987, § 9-5-301)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-46.

### **Sec. 86-2-402. Driving too slow.**

WEST JORDAN MUNICIPAL CODE

(a) It is unlawful for any person to drive a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when:

- (1) Reduced speed is necessary for safe operation;
- (2) Upon a grade;
- (3) Reduced speed is necessary because of adverse weather conditions;
- (4) In compliance with official traffic control devices; or
- (5) Preparing to turn left or enter a left lane exit ramp.

(b) It is unlawful for any person to drive a vehicle at a speed below a minimum speed limit posted by proper authority except when necessary for safe operation.

(Code 1987, § 9-5-302)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-49.

**Sec. 86-2-403. Speed or acceleration contests and exhibitions.**

(a) It is unlawful for any person to engage in, or any person to aid or abet, on any public roadway any vehicle:

- (1) Speed exhibition;
- (2) Speed contest;
- (3) Acceleration exhibition;
- (4) Acceleration contest; or
- (5) Racing.

The fact that the tires of the vehicle lose traction with the underlying road surface shall be deemed prima facie evidence that the driver intended to engage in a speed or acceleration contest or exhibition.

(b) It is unlawful for any person, for the purpose of facilitating, aiding or inducing any vehicle speed or acceleration contest or exhibition, to obstruct in any manner or to place any barricade or obstruction or assist or participate in placing any such barricade or obstruction upon any public roadway.

(c) It is unlawful for any person to operate a motor vehicle where the operator or driver has less than full control of the speed, direction and movement of the vehicle. The fact that the tires of the vehicle lose traction with the underlying road surface and/or the fact that the vehicle is traveling in any direction other than a generally forward direction, except when the vehicle is being

## TRAFFIC AND VEHICLES

backed up for short distances and at a slow speed, shall be deemed prima facie evidence that the driver has less than full control of the speed, direction and movement of the vehicle.

- (d) As used in this section,
  - (1) A speed or acceleration exhibition is the operation of a vehicle in such a manner as to demonstrate the vehicle's capabilities as to speed and/or accelerative power without such demonstration's being reasonably necessary for any legitimate purpose.
  - (2) A speed or acceleration contest is the operation of two or more vehicles from a point side by side and accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course or from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicles within the certain distance or time limit.
  - (3) Racing is the use of one or more vehicles in an attempt to outgain, outdistance, or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle, or to test the physical stamina or endurance of drivers of long-distance driving routes.

(Code 1987, § 9-5-303)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-51.

## PART 5. TURNS

### **Sec. 86-2-501. Turning manner.**

- (a) The driver of a vehicle intending to turn right shall approach and make the turn as close as practical to the right-hand curb or edge of the roadway.
- (b) The driver of a vehicle intending to turn left shall approach the turn from the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. Whenever practicable, the left turn shall be made to by turning onto the roadway being entered in the extreme left-hand lane for traffic moving in the new direction, unless otherwise directed by an official traffic control device.
- (c) When official traffic control devices are placed to require and direct that a different course from that specified in this section be traveled by vehicles turning, it shall be unlawful for the driver of any vehicle to turn a vehicle other than as directed and required by such devices.
- (d) Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic control devices:
  - (1) A left turn shall not be made from any other lane.
  - (2) A vehicle shall not be driven in the lane except when preparing for or making a left

WEST JORDAN MUNICIPAL CODE

turn from or into the roadway or when preparing for or making a U-turn when otherwise permitted by law.

(Code 1987, § 9-5-501)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-66.

**Sec. 86-2-502. Turning signals.**

(a) It is unlawful for any person to turn a vehicle or move right or left upon a roadway unless such movement can be made with reasonable safety and an appropriate signal has been given.

(b) A signal of intention to turn right or left or to change lanes shall be given continuously for at least the last three seconds preceding the beginning of the turn or lane change.

(c) The signal required on vehicles by section 86-2-503 shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

(Code 1987, § 9-5-502)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-69.

**Sec. 86-2-503. Methods of giving signals.**

(a) Any stop or turn signal, when required, shall be given either by the hand and arm or by signal lamps.

(b) All signals required in this part 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 indicate as follows:

- (1) Left turn: hand and arm extended horizontally.
- (2) Right turn: hand and arm extended upward.
- (3) Stop or decrease speed: hand and arm extended downward.
- (4) Reentering moving traffic lane from parked position: hand and arm extended horizontally.
- (5) Changing lanes: same as subsection (b)(1) or (2) of this section, depending on direction of change.

(Code 1987, § 9-5-503)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-70, 41-6-71.

**Sec. 86-2-504. Vehicle must turn after signal.**

It is unlawful for the driver of any vehicle giving or causing to be given any signal which would indicate to other traffic his intention to turn to fail to make such turn or to fail to yield the right-of-way to all other traffic which would be affected by his failure to complete the turn indicated.

## TRAFFIC AND VEHICLES

(Code 1987, § 9-5-504)

### **Sec. 86-2-505. U-turns.**

It is unlawful for the driver of any vehicle to make a turn so as to proceed in the opposite direction of travel on the same street:

- (1) At any intersection, unless permitted by sign;
- (2) Between intersections, on any street with a marked centerline;
- (3) Within 100 feet of any intersection on any street without a marked centerline;
- (4) Upon any one-way road;
- (5) Upon any bridge or viaduct;
- (6) Upon any curve or approach to the crest of a grade where such vehicle cannot be seen for a distance of 500 feet by the driver of any other approaching vehicle; or
- (7) At any other location where such turn is permitted unless such movement can be made in safety and without delay to or interfering with other traffic.

(Code 1987, § 9-5-505)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-67.

## PART 6. RIGHT-OF-WAY

### **Sec. 86-2-601. Definitions.**

The following words, terms and phrases, when used in this part, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Crossmember roadway* means that roadway which extends through the intersection and continues in the same direction.

*Leg roadway* means that roadway which terminates within a T-intersection.

*Through intersection* is the intersection of two roadways, upon one of which vehicles are required by posted traffic control devices to stop or yield and upon the other of which no traffic control devices are posted to regulate the right-of-way between vehicles.

*T-intersection* means an intersection of two roadways, one of which extends through the intersection and continues in the same general direction, and one which terminates at the intersection.

(Code 1987, § 9-5-601)

**Cross reference(s)**--Definitions generally, § 1-1-102.

WEST JORDAN MUNICIPAL CODE

**Sec. 86-2-602. Right-of-way between vehicles at intersection.**

Except as modified at through intersections or otherwise stated in this part, when two vehicles enter or approach an intersection from different roadways 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.

(Code 1987, § 9-5-602)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-72.

**Sec. 86-2-603. Right-of-way at through intersection and T-intersection.**

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

(b) Except when directed to proceed by a police officer, the driver of a vehicle having stopped at a stop sign shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways.

(c) Except when directed to proceed by a police officer, 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 and, if necessary, stop before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. If such driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision is prima facie evidence of the driver's failure to yield the right-of-way.

(d) The driver of a vehicle approaching on the left roadway of a T-intersection not otherwise controlled by stop or yield signs shall yield the right-of-way to vehicles traveling upon the crossmember roadway within the intersection or so close as to constitute an immediate hazard.

(e) It is unlawful for any driver to fail to yield the right-of-way as indicated in this section.

(Code 1987, § 9-5-603)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-72.10.

**Sec. 86-2-604. Vehicle turning left.**

It is unlawful for the driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway to fail to yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close to the turning vehicle as to constitute an immediate hazard during such time the turning vehicle is within the intersection or is making such turn.

(Code 1987, § 9-5-604)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-73.

**Sec. 86-2-605. Entering roadway at place other than intersection.**

## TRAFFIC AND VEHICLES

It is unlawful for the driver of a vehicle about to enter or cross a roadway from any place other than another roadway to fail to yield the right-of-way to all vehicles approaching on the roadway to be entered or crossed.

(Code 1987, § 9-5-605)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-75.

### **Sec. 86-2-606. Vehicle emerging from alley, driveway or building.**

It is unlawful for the driver of a vehicle emerging from an alley, driveway or building to fail to stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway and to fail to yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway to fail to yield the right-of-way to all vehicles approaching on the roadway.

(Code 1987, § 9-5-606)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-100.

### **Sec. 86-2-607. Starting vehicles.**

It is unlawful for any person to move a vehicle which is stopped, standing or parked on a roadway into a moving traffic lane without yielding the right-of-way to vehicles already moving upon the roadway.

(Code 1987, § 9-5-607)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-68.

### **Sec. 86-2-608. Vehicle or pedestrian working upon highway.**

(a) It is unlawful for the driver of a vehicle to fail to yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a roadway within any highway construction or maintenance area indicated by official traffic control devices.

(b) It is unlawful for the driver of a vehicle to fail to yield the right-of-way to any authorized vehicle obviously and actually engaged in work upon a roadway whenever such vehicle displays lights meeting the requirements of Utah Code Ann. § 41-6-140.20.

(Code 1987, § 9-5-608)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-76.10.

## CHAPTER 3. STOPPING, STANDING AND PARKING

### **Sec. 86-3-101. Title.**

This chapter shall be known as the West Jordan Parking Code.

(Code 1987, § 9-4-101)

### **Sec. 86-3-102. Scope.**

## WEST JORDAN MUNICIPAL CODE

This chapter shall govern the parking, standing and stopping of vehicles upon the public roadways, upon other publicly owned properties, and upon private property upon which the public is generally invited for the purpose of vehicular parking.

(Code 1987, § 9-4-102)

### **Sec. 86-3-103. Owner responsible.**

(a) Every person in whose name a vehicle is registered or licensed shall be responsible for the parking of any vehicle in violation of this chapter. It is no defense to a charge that the vehicle was illegally parked by another unless it is shown that at such time the vehicle was being used without the consent of the registered owner.

(b) Proof that the named defendant is the registered owner of the illegally parked vehicle shall be prima facie evidence that the registered owner parked the vehicle and/or that the illegally parked vehicle was so parked with the knowledge and consent of the registered owner.

(Code 1987, § 9-4-103)

### **Sec. 86-3-104. Prohibited parking.**

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, it is unlawful for any person to stop, stand or park a vehicle or for any owner or person in possession to allow any vehicle to be stopped, stood or parked:

- (1) On a sidewalk.
- (2) In front of or within five feet of a private driveway.
- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 20 feet of a crosswalk at an intersection.
- (7) Within 30 feet upon the approach to any flashing beacon or traffic control device located at the side of a roadway.
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone unless authorized signs or markings indicate a different length.
- (9) Within 50 feet of the nearest rail of a railroad crossing.

## TRAFFIC AND VEHICLES

- (10) Within 20 feet of a driveway entrance to any fire station and on a side of a street opposite the entrance when properly signposted.
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct or be hazardous to traffic.
- (12) Upon any bridge or other elevated structure upon a street or within a street tunnel or underpass.
- (13) Upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.
- (14) In such manner or under such conditions as to obstruct any sidewalk, crossing or private driveway, except during the necessary and expeditious loading or unloading of merchandise.
- (15) On any public street or alley where the width of the roadway is less than 20 feet.
- (16) Over and across any sidewalk or that area between the sidewalk and curb.
- (17) Within an alley, except during the necessary and expeditious loading and unloading of merchandise; and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property or interfere with the free movement of traffic through the alley.
- (18) (Reserved)
- (19) Upon the roadway side of another vehicle which is parked, standing or stopped, except while actually engaged in loading or unloading passengers or in compliance with directions of a police officer or traffic control device or when necessary to avoid other traffic.
- (20) In a roadway except parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway, except when angle parking is expressly authorized by a sign or other method of notice erected by public authority or except upon a marked, one-way street where the left side of the vehicle may be adjacent to and parallel with the curb.
- (21) Upon any roadway, for the principal purpose of:
  - a. (Reserved)
  - b. Greasing or repairing such vehicle, except when such repairs are necessitated by an emergency.

WEST JORDAN MUNICIPAL CODE

- c. (Reserved)
  - d. The sale of foodstuffs or other merchandise.
- (22) Upon a street between the hours of 2:00 a.m. and 6:00 a.m. during the period beginning on November 1 and ending on March 31.
  - (23) In a parking space designated for handicap parking unless the driver or his passenger is handicapped so as to require additional parking space or decreased walking distance or the vehicle has handicap license plates. Notwithstanding any provisions of this chapter to the contrary, a violation of the handicap parking regulations is an infraction with a fine not to exceed \$750.00
  - (24) At any place where signs, curb markings or pavement markings indicate no parking, fire zone, or words of similar effect; or where the adjacent curb is painted with red or yellow paint; or where markings on the pavement indicate parking is prohibited.
  - (25) Where an unobstructed width of the street opposite a standing vehicle is not left for the free passage of other vehicles or where a clear view of such stopped vehicle is not available from a distance of 200 feet in each direction.
  - (26) When the motor vehicle is standing upon any perceptible grade, unless the brakes to the vehicle are effectively set and the front wheels are turned to the curb or side of the street.
  - (27) Within five feet of a freestanding curbside mail box.
  - (28) Upon the main-traveled part of the street when it is practical to stop, park or so leave such vehicle off such part of such street; however, this subsection shall not apply to the driver of any vehicle which is disabled while on the main-traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.
  - (29) At any place where official signs or markings indicate stopping, standing or parking is prohibited.

(Code 1987, § 9-4-14; Ord. No. 03-26 on 05-06-2003, §(18), (21)a., (21)c., (23))

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-101, 41-6-103, 41-6-112.

**Sec. 86-3-105. Additional parking regulations.**

(a) The city manager is authorized to place and maintain such additional appropriate signs or traffic markings to indicate standing or parking regulations and may designate and identify such other no parking or controlled parking locations as the public safety demands.

(b) The city manager shall require persons, organizations, corporations and business entities, designated by the building code, the fire code, or other regulatory or public safety ordinances, to install and maintain, at the expense of the person or business, such regulatory parking

## TRAFFIC AND VEHICLES

signs or markings as are required by such codes. It is unlawful for any person to fail to comply with the directives of the city manager to install or maintain such parking regulations or markings. When so installed, such signs and markings shall be official signs and markings, the violation of the terms of which shall be prosecuted in accordance with this chapter.

(Code 1987, § 9-4-105)

### **Sec. 86-3-106. Illegally parked vehicle to be moved or impounded.**

Any officer finding a vehicle parked or standing upon a street in violation of any provisions of this chapter is authorized to move, at the owner's expense, such vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the main-traveled part of such street.

(Code 1987, § 9-4-106)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-102.

### **Sec. 86-3-107. Parking regulations applicable to public school grounds.**

(a) It is unlawful for any person to park a vehicle adjacent to a curb which is painted with red paint, in an area marked "No Parking," or in any location where such parking would obstruct regular vehicular traffic.

(b) It is unlawful for any student, staff or faculty person associated with the public school to park in an area designated for visitors or reserved parking.

(c) It is unlawful for any student to park in an area reserved for faculty.

(d) Where lines or similar features are painted upon the pavement surface to indicate the place of parking, it is unlawful for any person to park any vehicle when the parked vehicle is not within the lines of other markings.

(e) It is unlawful for any student to park a vehicle on school property during regular school hours unless such vehicle has been registered with school officials and a registration decal is properly affixed to the vehicle, as prescribed by school regulations.

(f) It is unlawful for any person to fail to comply with regulatory signs installed by school authorities concerning the movement and parking of vehicles upon the school grounds.

(g) The provisions of this section shall be deemed effective upon all persons, whether such person had notice or constructive notice of such provisions and regardless of whether a written listing of the traffic and parking regulations of the Jordan School District and specific school regulations, if any, was distributed to the students and faculty at or before the beginning of each school year.

(h) Vehicles parked in violation of this section may be impounded, at the owner's expense, in addition to any criminal prosecution or administrative action taken against the person

WEST JORDAN MUNICIPAL CODE

who parked the vehicle.  
(Code 1987, § 9-4-107)

**Sec. 86-3-108. Prohibited parking of vehicles on the street.**

(a) Except in case of an emergency, it is unlawful for any person to park or allow the parking or storage of any recreational vehicle, trailer, camping trailer, snowmobile trailer, boat, boat trailer, construction materials trailer or similar conveyance upon the public street. As used in this section, the term "recreational vehicle" means a self-propelled motor vehicle, capable of human habitation, which contains cooking, eating, sleeping and/or sanitary facilities, commonly called a motor home.

(b) For purposes of this section, an emergency shall require the immediate and actual presence of the driver or other responsible person attending the vehicle and attempting to correct the situation or effect emergency mechanical repairs. For purposes of this section, any conveyance not capable of movement under its own power shall be deemed to be parked if the conveyance has been disconnected from the motor vehicle needed for that motive power. A conveyance may be parked on the street if it is currently being loaded or unloaded and is immediately attended by a person responsible for the vehicle. A conveyance parked or stored on the public streets in violation of this section may be summarily impounded, at the expense of the owner, until the reasonable impoundment and storage charges have been paid.

(Ord. No. 939, § 1(9-4-107), 9-27-1994)

**Sec. 86-3-109. Prohibited parking of vehicles leaking fluids.**

It is unlawful for any person to park on the public street any vehicle which is leaking any measurable quantity of oil, grease, transmission fluid, radiator coolant, battery acid or any other fluid, other than water, onto the street. Any vehicle parked or stored on the public streets in violation of this section may be summarily impounded, at the expense of the owner, until the reasonable impoundment and storage charges have been paid.

(Ord. No. 939, § 2(9-4-108), 9-27-1994)

**Sec. 86-3-110. Vacant lots or parking lots used as used car lots.**

It shall be unlawful for a motor vehicle, trailer, or boat to be parked on a vacant lot or parking lot for the purpose of displaying it for sale unless the owner or lessee of the property on which it is parked has a city business license to engage in the business of selling motor vehicles, trailers, or boats at that location. It shall also be unlawful for the owner or lessee of such property to allow another person to park a motor vehicle, trailer, or boat on the property for the purpose of displaying it for sale unless the owner or lessee is duly licensed to engage in the business of selling motor vehicles, trailers, or boats at that location.

(Ord. No. 04-04, 01-06-2004)

**CHAPTER 4. TRAFFIC CONTROL SIGNS, SIGNALS AND DEVICES**

## TRAFFIC AND VEHICLES

### Sec. 86-4-101. Traffic control signals.

(a) Whenever traffic is controlled by a traffic control signal exhibiting different colored lights or color lighted arrows, successively one at a time or in combination only, the colors green, red and yellow shall be used and shall indicate and apply to drivers of vehicles as follows:

- (1) Steady green indication. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic facing a green arrow signal shown alone or in combination with other indications may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time. 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 crosswalk at the time such signal is exhibited.
  - (2) Steady yellow indication. Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the red signal will be exhibited immediately thereafter. Vehicular traffic shall not enter the intersection when the red signal is exhibited.
  - (3) Steady red indication.
    - a. Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, before entering the intersection. The vehicle shall remain standing until an indication to proceed is shown, except as provided in subsection (a)(3)b. of this section.
    - b. Except when a sign is in place prohibiting a turn, vehicle traffic facing any steady red signal may cautiously enter the intersection to turn right after stopping as required by subsection (a)(3)a. of this section. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
  - (4) Flashing red indication. When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop at the stop line when marked; or, if none, then before entering the nearest crosswalk whether painted or not; or, if none, then before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection from another roadway or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.
  - (5) Flashing yellow indication. When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.
- (b) If an official traffic control signal is erected and maintained at a place other than an

WEST JORDAN MUNICIPAL CODE

intersection, the provisions of this section, except those provisions which by their nature can have no application, shall be applicable. Any stop required shall be made at a sign or marking on the roadway pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(c) It is unlawful for any driver to fail to obey the instructions of a traffic control signal as indicated in this section.  
(Code 1987, § 9-5-101)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-24.

**Sec. 86-4-102. Stop signs.**

(a) Except when directed to proceed by a police officer, it is unlawful for any driver of a vehicle approaching a stop sign to fail to stop before entering the crosswalk on the near side of the intersection, or, if there is no crosswalk, 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.

(b) After having so stopped, it is unlawful for the driver of any vehicle to fail to yield the right-of-way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on another roadway as to constitute an immediate hazard during the time when the vehicle is moving across or within the intersection or junction of roadways.  
(Code 1987, § 9-5-102)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-23, 41-6-72.10.

**Sec. 86-4-103. Yield signs.**

It is unlawful for any driver of a vehicle approaching a yield sign to fail to slow down to a speed reasonable for the existing conditions and, if required for safety, to stop at a clearly marked stop line, or if none, before entering the crosswalk or the near side of the intersection, or if none, at the point nearest the intersecting roadway where the driver has a view of approaching traffic or the intersecting roadway before entering the intersection.  
(Code 1987, § 9-5-103)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-23, 41-6-72.10.

**Sec. 86-4-104. Maintenance of traffic control devices.**

(a) The city manager shall place and maintain such traffic control devices upon the streets of the city as he deems necessary to indicate and to carry out the provisions of this title and to regulate, warn or guide traffic. All such traffic control devices shall conform to and be maintained in conformance with the system set forth in the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways," with other standards issued or endorsed by the Federal Highway Administrator and with specifications and regulations issued by the state department of transportation. The city manager shall not place or maintain any traffic control device upon any highway under the jurisdiction of the state department of transportation except by permission of the state department of transportation.

## TRAFFIC AND VEHICLES

(b) It is unlawful for any person to place, maintain or display upon or in view of any roadway any unauthorized sign, signal, light, marking or device which purports to be or is an imitation of or resembles an official traffic control device or authorized emergency vehicle flashing light or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic control device or signal or which is of such brilliant illumination and so positioned as to blind or dazzle a driver on any adjacent roadway. It is unlawful for any person to place or maintain upon any roadway any traffic control sign or signal bearing any commercial advertising. This section shall not be deemed to prohibit the erection upon private property adjacent to the roadway of signs giving useful directional information and of a type that cannot be mistaken for official signs. Every such prohibited sign, signal light or marking is declared to be a public nuisance, which the city manager may remove without notice.

(c) It is unlawful for any person, without lawful authority, to alter, deface, injure, knock down, drive into, interfere with or remove any traffic control device or signal or any inscription, shield or insignia or any part of such device or signal.

(d) No provision of this title for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place. Whenever official traffic control devices are placed or held in a position approximately conforming to the requirements of this title, such devices are presumed to have been so placed or held by the official act or direction of lawful authority unless the contrary is established by competent evidence. Any official traffic control device placed or held pursuant to this title and purporting to conform to the lawful requirements pertaining to such devices is presumed to comply with the requirements of this title unless the contrary is established by competent evidence.

(e) It is unlawful for the driver of any vehicle, except drivers of authorized emergency vehicles, to fail to obey the instructions of any applicable official traffic control device placed or held in accordance with the provisions of this title unless at the time otherwise directed by a police officer. (Code 1987, § 9-1-106)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-21--41-6-28.

## CHAPTER 5. MOTORCYCLES AND BICYCLES

### PART 1. GENERALLY

#### **Sec. 86-5-101. Traffic laws apply.**

Every person driving or operating a motorcycle or riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle imposed or granted by the laws of this state or by this title, except those special regulations in this title and those provisions of law and ordinances which by their nature can have no application. Bicyclists riding upon the public roadway are subject to the rules and regulations applicable to motor

WEST JORDAN MUNICIPAL CODE

vehicles upon the roadway. Bicyclists upon the sidewalk are subject to the rules and regulations applicable to pedestrians.

(Code 1987, § 9-6-101)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-84, 41-6-87.

**Sec. 86-5-102. Obedience to traffic control devices.**

It is unlawful for any person driving or operating a motorcycle or motor-driven cycle or riding a bicycle to fail to obey official traffic control signals, signs and other control devices applicable to vehicles unless otherwise directed by a police officer.

(Code 1987, § 9-6-102)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-84, 41-6-87.

**Sec. 86-5-103. Equipment.**

(a) It is unlawful for any person to drive or operate upon a roadway any motorcycle, motor-driven cycle or bicycle which does not have such devices, equipment and other items in operable condition as required by this title or by state statute or regulations.

(b) It is unlawful for any person to drive or operate upon a roadway any motorcycle, motor-driven cycle or bicycle which is equipped or constructed in violation of the provisions of this title or state statute or regulations.

(c) A uniformed police officer may at any time, upon reasonable cause to believe that a bicycle is unsafe or not equipped as required by law or that its equipment is not in proper adjustment or repair, require the person riding the bicycle to stop and submit the bicycle to an inspection and such test with reference to the bicycle as may be appropriate.

(Code 1987, § 9-6-103)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-87.8, 41-6-89, 41-6-90.

**Sec. 86-5-104. Use of traffic lane.**

(a) All motorcycles and motor-driven cycles are entitled to full use of a lane. It is unlawful for a person to drive a motor vehicle in such a manner as to deprive any motorcycle or motor-driven cycle of the full use of a lane. This prohibition shall not apply to motorcycles or motor-driven cycles operated two abreast in a single lane. Motorcycles or motor-driven cycles shall not be operated more than two abreast in a single lane.

(b) It is unlawful for the operator of a motorcycle or motor-driven cycle to overtake and pass another vehicle in the same lane occupied by the vehicle being overtaken. It is unlawful for the operator of a motorcycle or motor-driven cycle to operate such motorcycle or motor-driven cycle between lanes of traffic or between adjacent lines or rows of vehicles. This subsection shall not apply to police officers in the official performance of their duties.

(c) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

## TRAFFIC AND VEHICLES

(d) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and on a laned roadway shall ride within a single lane.

(Code 1987, § 9-6-104)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-87.

### **Sec. 86-5-105. Motorcycle passengers.**

(a) A person operating a motorcycle or motor-driven cycle shall ride only upon the permanent and regular attached seat; and such operator shall not carry any other person nor shall any other person ride on a motorcycle or motor-driven cycle unless such vehicle 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 firmly attached to the motorcycle or motor-driven cycle at the rear or side of the operator.

(b) A person shall ride upon a motorcycle or motor-driven cycle only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle or motor-driven cycle.

(c) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or motor-driven cycle or the view of the operator.

(Code 1987, § 9-6-105)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-6-85, 41-6-107, 41-6-107.2, 41-6-107.6.

### **Sec. 86-5-106. Protective headgear.**

(a) It is unlawful for any person under the age of 18 to operate or ride upon a motorcycle or motor-driven cycle upon a street or roadway unless such person is wearing protective headgear which complies with standards established by the state commissioner of public safety.

(b) It is unlawful for any person to operate a motorcycle or motor-driven cycle upon a street or roadway while carrying a passenger under the age of 18 unless such passenger is wearing protective headgear which complies with standards established by the state commissioner of public safety.

(Code 1987, § 9-6-106)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-107.8.

### **Sec. 86-5-107. Riding astride seat.**

(a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached to the bicycle.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designated and equipped, except that an adult rider may carry a child securely attached to

WEST JORDAN MUNICIPAL CODE

his person in a backpack or sling.

(Code 1987, § 9-6-107)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-85.

**Sec. 86-5-108. Clinging to vehicles.**

(a) No person riding upon a bicycle, motorcycle or motor-driven cycle shall attach it or himself to any vehicle upon a roadway. This subsection shall not prohibit attaching a bicycle trailer or bicycle semitrailer to a bicycle if the trailer or semitrailer has been designed for such attachment.

(b) No driver shall knowingly permit any person to attach a bicycle, motorcycle, or motor-driven cycle to his motor vehicle while the vehicle is being driven.

(Code 1987, § 9-6-108)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-85.

**Sec. 86-5-109. Carrying articles.**

No person operating a bicycle, motorcycle or motor-driven cycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.

(Code 1987, § 9-6-109)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-88.

**Sec. 86-5-110. Bicycle racing.**

(a) Bicycle racing on roadways, streets or alleys is prohibited except as authorized by this section.

(b) Bicycle racing on roadways, streets or alleys is not unlawful when a racing event is approved by state authorities or the director of public safety. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other roadway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other roadway users.

(c) By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable, provided that traffic control is adequate to assure the safety of all highway users.

(Code 1987, § 9-6-110)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-87.9.

PART 2. BICYCLE LICENSES

**Sec. 86-5-201. Definitions.**

The following words, terms and phrases, when used in this part, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle dealer means a person regularly engaged in the business of buying, selling, bartering or

## TRAFFIC AND VEHICLES

exchanging bicycles, whether dealing exclusively in bicycles or in conjunction with other merchandise.

(Code 1987, § 4-20-101)

**Cross reference(s)**--Definitions generally, § 1-1-102.

### **Sec. 86-5-202. License requirements.**

It is unlawful for any person to ride a bicycle upon any of the streets, alleys, sidewalks or public ways of the city until the bicycle has been registered, licensed and is displaying the proper license, as provided in this part. Before being so registered and licensed, every bicycle must be inspected with relation to its frame number, operating condition, brakes, warning device, reflector and handlebars. Any license issued under the provisions of this part shall be valid until the transfer of ownership of the bicycle or until the bicycle license so issued is destroyed, lost or mutilated, at which time such bicycle shall again be inspected, registered and licensed as provided in this part.

(Code 1987, § 4-20-102)

### **Sec. 86-5-203. Inspection and licensing regulations.**

The director of public safety is authorized and directed, subject to the approval of the city council, to prepare and issue regulations governing the inspection and licensing of bicycles.

(Code 1987, § 4-20-103)

### **Sec. 86-5-204. Dealer requirements for licensing and inspection.**

(a) All bicycle dealers shall inspect and license any new or used bicycle sold, bartered or exchanged by the dealer or any unlicensed bicycle is brought to the dealer for repair prior to the time of redelivery.

(b) At the time of sale, the dealer shall complete a bicycle license registration form supplied by the police department. The director of public safety shall cause to be prepared and delivered, without cost and in sufficient quantities to cover anticipated bicycle sales in the immediate future, registration forms and license decals to be applied to bicycles sold by that merchant.

(c) The dealer shall give one copy of the license registration form to the owner or purchaser and affix any required license decal to the bicycle on the seating post approximately at the midpoint between the saddle lugs and the crank facing the front of the bicycle.

(d) The merchant selling the bicycle and affixing the license decal to the bicycle shall send the original copy of the license registration form within 30 days of the sale of the bicycle to the police department. All entries on the license registration form shall be typewritten or printed in ink. License records of bicycle dealers shall be open for inspection by any sworn officer or the department of public safety at any reasonable time. It is unlawful for a dealer to fail to inspect and license a bicycle as required in this section.

(Code 1987, § 4-20-104)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 11-21-1(1)(b).

### **Sec. 86-5-205. Serial number requirements.**

## WEST JORDAN MUNICIPAL CODE

Prior to the sale of any bicycle that does not have a serial number on its frame, a dealer shall impress in the metal of the bicycle frame a serial number by using the dealer's initials and the license decal number issued to the bicycle or a serial number using the manufacturer's system of serial numbering, the year of issuance or expiration of the license, and the abbreviation for the city. The serial number shall be placed on the underside of the bottom frame sprocket of the bicycle. It is unlawful for a dealer to sell any bicycle without a serial number embedded in the frame, either by the manufacturer or as provided in this part.

(Code 1987, § 4-20-105)

### **Sec. 86-5-206. Selling without title.**

It is unlawful for any bicycle dealer to sell or otherwise dispose of any bicycle unless he can show a good title to the bicycle, either by bill of sale from seller or former owner or by registration. The provisions of this section shall not be deemed to prevent the lawful donation of a bicycle to a charitable organization or to require a bill of sale for such transaction or to sell or transfer a lawfully donated bicycle. In selling or transferring such donated bicycles, the charitable organization shall comply with the other provisions of this part.

(Code 1987, § 4-20-106)

### **Sec. 86-5-207. Restrictions on dealing with minors.**

It is unlawful for any bicycle dealer, by himself, his agents, servants or employees, to purchase or receive from any minor any bicycle as trade-in for another bicycle or as an outright purchase for cash, or as an exchange, or barter for another bicycle, without written consent of the parent or guardian of the minor.

(Code 1987, § 4-20-107)

### **Sec. 86-5-208. Removal or alteration of license.**

It is unlawful for a person to willfully or maliciously destroy, mutilate or alter the number of any bicycle frame number or any bicycle license issued pursuant to this part or to remove, destroy or mutilate any license decal while it is valid.

(Code 1987, § 4-20-108)

## CHAPTER 6. PEDESTRIANS\*

### **Sec. 86-6-101. Pedestrians subject to traffic control signals.**

(a) Whenever traffic is controlled by a traffic control signal exhibiting different colored lights or color lighted arrows, successively one at a time or in combination unless otherwise directed by a pedestrian control signal or a police officer:

- (1) Pedestrians at a marked or unmarked crosswalk may cross a roadway on which the vehicular traffic is facing a steady red lens, except as provided in subsection (a)(2)

## TRAFFIC AND VEHICLES

of this section.

- (2) Pedestrians at a marked or unmarked crosswalk and about to cross a roadway on which the vehicular traffic is facing is a steady red lens are warned there is insufficient time to cross the roadway before a green indication will be shown if traffic on the intersecting roadway is facing a steady yellow lens. It is unlawful for any pedestrian to start to cross the roadway under those circumstances.
- (3) Pedestrians at a marked or unmarked crosswalk may not cross a roadway on which the vehicular traffic is facing a flashing red or yellow signal and may proceed to cross the roadway in a crosswalk only after ascertaining that it is safe to do so and then only with due caution.

(b) It is unlawful for any pedestrian to fail to obey the instructions of an official traffic control device.

(Code 1987, § 9-7-101)

**\*Cross reference(s)**--Streets, sidewalks and other public places, tit. 74

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-77.

### **Sec. 86-6-102. Pedestrians' right-of-way.**

(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 necessary, to a pedestrian crossing the roadway within a marked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway 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 as to constitute an immediate hazard.

(Code 1987, § 9-7-102)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-78.

### **Sec. 86-6-103. No passing vehicle stopped at crosswalk.**

It is unlawful for the driver of any vehicle approaching from the rear to overtake and pass another vehicle stopped at a marked or unmarked crosswalk to permit a pedestrian to cross the roadway.

(Code 1987, § 9-7-103)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-109.10.

### **Sec. 86-6-104. Pedestrians to yield right-of-way.**

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

(b) Any pedestrian violating any traffic control device or any provision of this part shall

WEST JORDAN MUNICIPAL CODE

have no right-of-way he may otherwise have had and shall yield the right-of-way to vehicular traffic.  
(Code 1987, § 9-7-104)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-79.

**Sec. 86-6-105. Crossing roadway.**

(a) No pedestrian shall cross a roadway at any place other than in a crosswalk. If no crosswalk exists within a distance of 700 feet of the desired point of crossing, a pedestrian may cross by the shortest straight route to the opposite curb after exercising due care and caution and yielding to all vehicular traffic.

(b) No pedestrian shall cross a roadway:

- (1) Between adjacent intersections at which traffic control signals are in operation at any place except in a marked crossway;
- (2) At any place other than in a crosswalk upon any through street; or
- (3) Where a pedestrian tunnel or overhead pedestrian crossing is available.

(c) Pedestrians shall yield the right-of-way to an authorized emergency vehicle making use of an audible or visual signal to indicate the vehicle is responding to an emergency.

(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices.

(Code 1987, § 9-7-105)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-79.

**Sec. 86-6-106. Blind persons.**

(a) The driver of a vehicle approaching a blind or partially blind pedestrian crossing a roadway and carrying a cane predominately white or metallic in color, with or without a red tip, or using a guide dog shall bring his vehicle to a complete stop and yield the right-of-way to the blind person.

(b) It is unlawful for any person, other than a person blind or partially blind, to carry a cane described in subsection (a) of this section.

(c) Blind or partially blind persons shall exercise due care in approaching and crossing roadways and shall yield the right-of-way to emergency vehicles sounding an audible warning.

(Code 1987, § 9-7-106)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-80.1.

**Sec. 86-6-107. Vehicle crossing sidewalk.**

The driver of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk.

## TRAFFIC AND VEHICLES

(Code 1987, § 9-7-107)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-80.5.

### **Sec. 86-6-108. Pedestrians walking along or upon roadways.**

(a) It is unlawful for any pedestrians to walk along and upon an adjacent roadway where sidewalks are provided.

(b) Where sidewalks are not provided, pedestrians walking along and upon a roadway shall, when practicable, walk only on a shoulder as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk or a shoulder is available, pedestrians walking along or upon a roadway shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the left side of the roadway, facing oncoming traffic.

(d) It is unlawful for any person to stand in a road or shoulder area for the purpose of soliciting from the occupant of any vehicle a ride, employment or the parking, watching or guarding of a vehicle or other business.

(Code 1987, § 9-7-108)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-82.

### **Sec. 86-6-109. Obstructing sidewalks by pedestrians.**

Pedestrians shall not obstruct or prevent the free use of sidewalks or crosswalks by other pedestrians. Whenever practicable, pedestrians shall move upon the right half of crosswalks.

(Code 1987, § 9-7-109)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-109.10.

### **Sec. 86-6-110. Vehicles to exercise due care to avoid pedestrians.**

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and shall give an audible signal, when necessary, and exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person on or near the roadway.

(Code 1987, § 9-7-110)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-80.

### **Sec. 86-6-111. Approach of emergency vehicle.**

Upon the immediate approach of an authorized emergency vehicle making use of an audible or visual emergency signal, every pedestrian shall yield the right-of-way and shall immediately leave the roadway and remain out of the roadway until the authorized emergency vehicle has passed except when otherwise directed by a police officer.

(Code 1987, § 9-7-110)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-79.10.

WEST JORDAN MUNICIPAL CODE

CHAPTER 7. TRUCKS

**Sec. 86-7-101. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Residential area* means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences.

*Semitrailer* means every vehicle with or without motive power, other than a police trailer, designed for carrying persons or property and for being drawn by a motor vehicle for commercial purposes and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

*Trailer* means every vehicle with or without motive power, other than a police trailer, designed for carrying persons or property for commercial purposes and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

*Trucks* means every motor vehicle designed, used or maintained primarily for the transportation of property for commercial purposes having a registered gross vehicle weight exceeding 18,000 pounds.

*Truck tractor* means every motor vehicle designed and used primarily for commercial purposes 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.

The definitions of semitrailer, trailer, truck and truck tractor shall not be construed to include privately owned trailers, boat trailers, camping trailers, and recreation vehicles used for private noncommercial purposes.

(Code 1987, § 9-8-101)

**Cross reference(s)**--Definitions generally, § 1-1-102.

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-1.

**Sec. 86-7-102. Parking of trucks.**

- (a) No truck, truck tractor, semitrailer or trailer shall be parked:
  - (1) On a public street, except while actually loading or unloading merchandise.
  - (2) On a public street closer than 30 feet to the entrance or exit or intersection with any private driveway, private street, alley or public street.
- (b) For the purposes of this section, a truck shall be deemed parked, even though the motor is running, if the vehicle is left standing for any period of excess of three minutes except when

## TRAFFIC AND VEHICLES

unloading or loading.  
(Code 1987, § 9-8-102)

### **Sec. 86-7-103. Truck routes.**

(a) The following streets are designated as truck routes:

7800 South from eastern city boundary to State Road U-111.

9000 South from eastern city boundary to State Road U-111.

6200 South from Bangerter Highway to 5600 West.

1300 West from 7800 South to 9000 South.

Airport Road north of New Bingham Highway to northern city boundary.

4000 West South of 7800 South to 9000 South.

Jordan Landing Boulevard from 7800 South to Bangerter Highway.

5600 West from northern city boundary to southern city boundary.

Mountain View Freeway from northern city boundary to southern city boundary.

Redwood Road from northern city boundary to southern city boundary.

New Bingham Highway from intersection with 7800 South to western city boundary.

Old Bingham Highway west of 4000 West to western city boundary.

Bangerter Highway (approximately 3600 West) from northern city boundary to southern city boundary.

3200 West Street from 9000 South to 8600 South.

State Road U-111 from northern city boundary to southern city boundary.

All trucks, truck tractors, semitrailers and trailers, and all vehicles carrying flammable liquids in excess of 3,000 gallons, explosives and corrosives, shall, except as provided in this section, follow such designated truck routes and not depart from such routes. The city manager may, in writing, designate temporary alternative truck routes and authorize trucks to depart from the truck routes for a temporary period not exceeding 30 days, when road repairs or other obstructions block the truck routes and when a report of such authorization is made to the city council at the next regularly scheduled council meeting.

(b) The truck routes specified in subsection (a) of this section shall not apply to trucks delivering to or returning from construction sites where it is not possible to use a designated truck route, or to trucks delivering merchandise to or from local businesses or local residences or established truck terminals, or traveling to or from a licensed garage where the vehicle will be lawfully repaired or serviced, if travel or delivery is made by the most direct and shortest route. A truck tractor, not attached to a trailer or semitrailer, may depart from the truck routes, notwithstanding any provisions of this chapter to the contrary, and may be parked on private property in compliance with the city's zoning ordinance.

(c) An unladen truck or truck tractor subject to this section may, for the sole purpose of going to or returning from a retail fuel outlet, depart from the truck routes designated in this section; however, the route of travel must be as reasonably direct as possible.

## WEST JORDAN MUNICIPAL CODE

(d) The city manager shall install on major streets near their intersections with streets designated as truck routes in this section signs which indicate, in words or in picture, that trucks are prohibited. Where such signs are installed, the city manager may install additional signage to the effect that local deliveries are permitted in accordance with subsection (b).

(e) The city manager shall cause to be installed adjacent to truck routes appropriate signage which indicates that the use of dynamic engine braking devices by which compression within the vehicle engine slows or stops the vehicle's forward motion is prohibited.  
(Code 1987, § 9-8-103; Ord. No. 890, § 1, 3-15-1994; Ord. No. 04-32, 08-17-04)

### **Sec. 86-7-104. Loads to be covered.**

It is unlawful for any person to haul, convey or transport through or upon any of the public streets any garbage, ashes, market wastes, manure, night soil, loose paper, scrap paper, excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes or any other refuse materials, in open trucks, open trailers or other open conveyances, unless covered completely by a heavy-duty canvas or other similar material which shall prevent the spillage of any materials from such vehicles at all times when the vehicles are being used for the collection of, or carrying, transporting or hauling of any of such materials.  
(Code 1987, § 9-8-104)

### **Sec. 86-7-105. Violations.**

It is unlawful for any driver or other person having control of any vehicle to violate or allow such vehicle to be operated in violation of the provisions of this chapter.  
(Code 1987, § 9-8-105)

## **CHAPTER 8. VEHICULAR REGISTRATION, EQUIPMENT AND INSURANCE**

### **Sec. 86-8-101. Registration of vehicles.**

(a) It is unlawful for any person to drive, stop or park upon a public street, or for any owner to knowingly permit the driving or parking of a motor vehicle required under the laws of this state or any other state or country to be registered, which is not registered in accordance with the laws of this state or such other state or country.

(b) Every motor vehicle driven or parked upon the streets of the city shall display valid and unexpired registration plates or evidence of registration in compliance with the law of the state of registration.

(c) It is unlawful for any person to repaint, mutilate, obscure or in any other manner alter any lawful evidence of registration displayed by any vehicle.

(d) The current valid registration certificate of every motor vehicle shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such

## TRAFFIC AND VEHICLES

vehicle, who shall display the registration upon demand of a police officer.  
(Code 1987, § 9-3-101)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-1a-1303.

### **Sec. 86-8-102. Required equipment.**

(a) It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any roadway any vehicle, bicycle, motorcycle, motor-driven cycle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all equipped with such lamps and other equipment in proper condition and adjustment as required by this title or state statute or by regulations issued by the state department of transportation, or which is equipped in any manner in violation of this title or state statute or those regulations or for any person to do any act forbidden or fail to perform any act required by this title or state statute or those regulations.

(b) The provisions of this chapter with respect to equipment required on vehicles shall not apply to implements of husbandry, road machinery, road rollers or farm tractors, except as specifically made applicable.

(Code 1987, § 9-3-201)

**State law reference(s)**--Equipment, Utah Code Ann. §§ 41-6-117--41-6-175.5.

### **Sec. 86-8-103. Safety inspection.**

It is unlawful for any person to drive, stop or park, or for any owner or person in possession to cause or knowingly permit to be driven, stopped or parked, on any street or alley, any motor vehicle which is required under the laws of the state or of any other state or country to be inspected for mechanical safety unless such vehicle has been so inspected and has attached in the proper position a valid and unexpired certificate of inspection as required by the laws of the state requiring the inspection.

(Code 1987, § 9-3-202)

**State law reference(s)**--Similar provisions, Utah Code Ann. §§ 41-1a-205, 53-8-205.

### **Sec. 86-8-104. Inspection by peace officer.**

(a) A peace officer may, at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit the vehicle to an inspection and such test as may be appropriate.

(b) If such vehicle is found to be in unsafe condition or any required part or equipment is not present or is not in proper repair and adjustment, the officer shall give a written notice to the driver and shall send a copy to the state department of public safety. The notice shall require that such vehicle be placed in a safe condition and its equipment in proper repair and adjustment, specifying the particulars and that a certification of inspection and approval be obtained within five days.

(c) If any such vehicle is, in the reasonable judgment of the officer, in such condition that further operation would be hazardous, the officer may require in addition that the vehicle not be

WEST JORDAN MUNICIPAL CODE

operated under its own power or that it be driven to the nearest garage or other place of safety.

(d) It is unlawful for any person driving a vehicle to refuse to submit such vehicle to an inspection when requested to do so by any peace officer.

(e) It is unlawful for any person driving a vehicle which has been inspected by a peace officer and found to be in an unsafe condition or lacking any required part or equipment and having received the written notice from the officer as provided in this section to drive such vehicle, or for the owner to knowingly allow such vehicle to be driven, except to the residence or place of business of the owner or driver or to a place of repair of his choice, but not thereafter, until the vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this title and state statute.

(Code 1987, § 9-3-203)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 53-8-209.

**Sec. 86-8-105. Driving without required public liability insurance.**

(a) It is unlawful for any owner of a motor vehicle on which owner's or operator's security is required under Utah Code Ann. § 41-12a-301, to operate or drive or permit to be operated or driven the vehicle on the public roadway without the owner's security being in effect.

(b) It is unlawful for any person, knowing that the owner does not have the owner's security required under Utah Code Ann. § 41-12a-301, in effect, to operate or drive the vehicle on the public roadway unless that person has owner's security on a state-registered motor vehicle or its equivalent in effect which covers the operation by him of the motor vehicle in question.

(Code 1987, § 9-3-301)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-12a-302.

**Sec. 86-8-106. Driving without required no-fault insurance coverage.**

It is unlawful for any driver to drive any motor vehicle without having in full force the no-fault insurance coverage required for the motor vehicle by the provisions of the Utah Code. A violation of this section shall be punished as a class B misdemeanor.

(Code 1987, § 9-3-302)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 31A-22-305.

**CHAPTER 9. IMPOUNDS AND ABANDONED VEHICLES**

**Sec. 86-9-101. Towing and impounding of vehicles.**

- (a) The following are nuisances:
  - (1) Any unattended vehicle stopped, standing or parked in violation of any of the provisions of this title or any ordinance of the city or law of the state.
  - (2) A vehicle found upon the streets or alleys of this city with faulty or defective

## TRAFFIC AND VEHICLES

equipment.

- (3) Any vehicle left unattended upon any bridge or viaduct where such vehicle constitutes an obstruction to traffic.
- (4) Any vehicle upon a street so disabled as to constitute an obstruction to traffic and the persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
- (5) Any vehicle left unattended upon a street or alley and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- (6) Parking a motor vehicle, trailer, or boat on a vacant lot or parking lot for the purpose of displaying it for sale unless the owner or lessee of the property is a bonded vehicle dealer and has a city business license to engage in business at that location.
- (7) Any vehicle the driver of which has been taken into custody by any officer of the department of public safety under such circumstances as would leave such vehicle unattended in a street, alley or restricted parking area.
- (8) Any vehicle found not in a proper condition to be driven.
- (9) Any vehicle found so parked as to constitute a fire hazard or an obstruction to fire fighting apparatus.

The foregoing nuisances may be summarily abated by removing, by means of towing or otherwise, such vehicle by or under the directions or at the request of a police officer to a place of storage.

(b) As soon as is reasonable under the circumstances, a written notice that the vehicle has been impounded and will, if not claimed by the owner or his representative, be sold at public auction as provided by law shall be mailed to the owner and recorded lienholder, if any, as shown on the records of the state tax commission. If the license plates on the vehicle are from another state, written notice shall be mailed to the department of motor vehicles in such state, requesting the department to notify the registered owner of such vehicle that the vehicle has been impounded and will, if not claimed by the owner or his representative, be sold at public auction as provided by law.

(c) The impounding of a vehicle shall not prevent or preclude the institution and prosecution of criminal proceedings against the owner or operator of such impounded vehicle.

(d) Before the owner or his agent shall be permitted to remove a vehicle which has been impounded, he shall:

- (1) Furnish satisfactory evidence to the chief of police of his identity and his ownership of the vehicle.
- (2) Request and obtain from the chief of police a written order directed to the place of storage in which the vehicle is impounded, authorizing the release of the vehicle to the owner or his agent.

WEST JORDAN MUNICIPAL CODE

- (3) Pay to the place of storage towing and storage charges reasonably incurred in the towing and storage of the vehicle.
- (4) Sign a written receipt for the vehicle and deliver the receipt to the place of storage upon receiving the impounded vehicle.

(e) The chief of police shall keep a record of all vehicles impounded by manufacturer's trade name or make, body type, motor and license number, the names and addresses of all persons claiming the vehicle, and such other descriptive matter as may identify such vehicles, the nature and circumstances of the impounding and the violation on account of which such vehicles were impounded, the date of such impounding and the name and address of any person to whom any such vehicle is released.

(f) The chief of police may immediately impound any vehicle that is improperly registered, stolen, or bears defaced motor numbers and shall immediately thereafter notify in writing the motor vehicle division of the state tax commission of such impounding.

(Code 1987, § 9-10-101; Ord. No. 03-26 on 05-06-2003, §(a)(6), (d)(1), (d)(2), (e), (f); Ord. No. 04-04, §(a)(3)&(6), 01-06-2004)

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-44.30.

**Sec. 86-9-102. Abandoned vehicles.**

(a) It is unlawful for any person to abandon a vehicle upon any roadway.

(b) It is unlawful for any person to abandon a vehicle upon any public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.

(c) Any police officer who has reasonable grounds to believe that a vehicle has been abandoned may remove the vehicle or cause it to be removed, at the expense of the vehicle owner, to the nearest state impound yard, or if none, to a garage or other place of safety, and shall immediately send a written report of such removal to the motor vehicle division, state tax commission.

(d) For the purposes of this section, a vehicle shall be presumed to be abandoned if it is left unattended:

- (1) On a roadway, and in a condition which is unsafe or inoperable, for a period in excess of 24 hours;
- (2) On a public or private property without express or implied consent of the owner or person in lawful possession or control of the property for a period in excess of seven days.

(Code 1987, § 9-10-102; Ord. No. 03-26 on 05-06-2003, §(d)(1))

**State law reference(s)**--Similar provisions, Utah Code Ann. § 41-6-116.10.