

CHAPTER 5
RULES OF THE ROAD

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9-5-1: VEHICLE ENTERING STOP INTERSECTION:

A. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. (1963 Code, * 36.28)

B. The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which

are within the intersection or approaching so closely as to constitute an immediate hazard, but then may proceed. (Ord. 706; 11-15-66)

9-5-2: VEHICLE ENTERING YIELD INTERSECTION:

A. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. Said driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding, provided however, that a driver who enters a yield intersection without stopping and has caused a collision with a pedestrian in a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. The foregoing shall not relieve the drivers of other vehicles approaching the intersection at such distance as not to constitute an immediate hazard from the duty to drive with due care to avoid a collision.

B. The driver of a vehicle approaching a yield sign is required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection, or in the event 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. (1963 Code, * 36.29)

9-5-3: EMERGING FROM ALLEY, DRIVEWAY OR BUILDING: The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway. (1963 Code, * 36.30)

9-5-4: STOP WHEN TRAFFIC OBSTRUCTED: No driver shall 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. (1963 Code, * 36.31)

9-5-5: SIGNAL INDICATING APPROACH OF TRAIN:

A. Whenever any person driving a vehicle approaches a railroad grade crossing and clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop within fifty feet (50') but not less than ten feet (10') from the nearest track of such railroad and shall not proceed until he can do so safely.

B. The driver of a vehicle shall stop and remain standing and not traverse such a grade crossing when a crossing gate is lowered or when a flagman gives or continues to give a signal of the approach or passage of a train. (1963 Code, * 36.32)

9-5-6: STOPPING AT RAILROAD GRADE CROSSINGS:

A. The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying liquid petroleum and liquid petroleum products, explosives, flammable or oxidizing liquids and solids which emit poisonous fumes, corrosive liquids, and radioactive materials as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet (50') but not less than ten feet (10') from the nearest rail of such railroad and While so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely.

B. No stop need be made at any crossing where a police officer or traffic control signal directs traffic to proceed.

C. This Section shall not apply at any street railway grade crossing within a business or residence district. (Ord. 706, 11-15-66)

9-5-7: FOLLOWING FIRE APPARATUS: The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1963 Code, * 56.34)

9-5-8: CROSSING FIRE HOSE: No vehicle shall be driven over an unprotected hose of a Fire Department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command. (1963 Code, * 36.35)

9-5-9: DRIVING THROUGH FUNERALS OR OTHER PROCESSION: No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers. (1963 Code, * 36.36)

9-5-10: DRIVERS IN A PROCESSION: Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practicable and shall follow the vehicle as close as is practicable and safe. (1963 Code, * 36.37)

9-5-11: FUNERAL PROCESSIONS: A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division. (1963 Code, * 36.38)

Identification of Funerals. The Police Department shall designate type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in funeral processions. (1963 Code, * 56.07)

9-5-12: PARADES AND PROCESSIONS: No procession or parade containing fifteen (15) or more persons or ten (10) or more vehicles except the forces of the United States Army or Navy, the military forces of this State and the forces of the Police and Fire Departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply. (1963 Code, * 36.39)

9-5-13: VEHICLES ON SIDEWALKS: The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (1963 Code, * 36.40)

9-5-14: LIMITATIONS ON BACKING: The driver of a vehicle shall not back the same unless such movement can be made with reasonably safety and without interfering with other traffic. (1963 Code, * 36.41)

9-5-15: VEHICLE DOORS: No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1963 Code, * 36.42)

9-5-16: RIDING ON MOTORCYCLES: A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator. (1963 Code, * 36.43)

9-5-17: CLINGING TO VEHICLES: No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (1963 Code, * 36.44)

9-5-18: CONTROLLED ACCESS ROADWAYS: No person shall drive a vehicle onto or from any controlled access roadway except at such entrance and exits as are established by public authority. (1963 Code, * 36.45)

9-5-19: RECKLESS DRIVING: It shall be unlawful to operate any vehicle in the Municipality in a reckless or wanton manner, or so as to unnecessarily endanger life or property.

9-5-20: CARELESS AND NEGLIGENT DRIVING: It shall be unlawful to drive any vehicle upon the streets, alleys, and highway of the Village, in a careless or negligent manner, and without due regard to the traffic conditions therein or so as to injure or endanger the life, limb or property of any other person or persons therein. (Ord. 676; 9-17-63)

9-5-21: UNNECESSARY NOISE: It shall be unlawful to operate a vehicle on any of the streets of the Village which makes unusually loud or unnecessary noises.

9-5-22: MUFFLER: No motor vehicle, including motorcycles, shall be operated on any street of the Village unless such vehicle is provided with a muffler in sufficient actual working condition and the use of a cut-out is prohibited. (Ord. 693; 8-3-65)

9-5-23: RIDING IN HOUSE TRAILERS: No person or persons shall occupy a house trailer while it is being moved upon a public highway. (Ord. 706; 11-15-66)

9-5-24: PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS:

A. No person who is under the influence of intoxicating liquor may drive or be in actual physical control of any vehicle within this Village.

B. No person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle may drive or be in actual physical control of any vehicle within this Village. The fact that a person charged with a violation of this subsection (B) is or has been entitled to use such drug under the law of this State does not constitute a defense against any charge of violation of this subsection (B).

C. Upon the trial of any action or proceeding arising out of the acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his breath, blood, urine, saliva or other bodily substance is admissible, as provided hereinafter in this subsection (C) and the result of any such analysis shall give rise to the following presumptions:

1. If there was at the time of such five-hundredths percent (0.05%) or less by weight of the person's blood, it shall be presumed that the not under the influence of intoxicating liquor;
2. If there was at time of such analysis five-hundredths percent (0.05%) but less than ten-hundredths percent (0.10%) by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether such person was under the influence of intoxicating liquor;
3. If there was at the time of such analysis (0.10%) or more by weight of alcohol in shall be presumed that the person was under the influence of intoxicating liquor.

Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred (100) cubic centimeters of blood. Evidence based upon a chemical analysis of blood, urine, breath or other bodily substance shall not be admitted unless such substance was procured and such analysis made with the consent of the person as provided by this Chapter, whose bodily substance was so analyzed.

The foregoing provisions of this subsection (C) shall not be constructed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor.

D. Chemical analysis of the person's blood or breath to be considered valid under this Section must be performed according to uniform standards adopted by the State Department of Public Health, in cooperation with the Superintendent of the State Police, and by an individual possessing a valid permit issued by that Department for this purpose. The State Department of Public Health is authorized to approve satisfactory techniques or methods to ascertain the qualifications and competence of individuals to conduct such analysis and to issue permits which shall be subject to termination or revocation at the discretion of the State Department of Public Health.

E. When an unconscious person or persons otherwise incapable of refusal is given a blood test by the request of a law enforcement officer under the provisions of this Section, only a physician authorized to practice medicine in all its branches, a registered nurse or other qualified person may withdraw blood, in a manner prescribed by the Department of Public Health for the purpose of determining the alcoholic content therein.

F. The person tested may have a physician authorized to practice medicine in all its branches, a qualified technician, chemist, registered nurse, or other qualified person of his own choosing to administer a chemical test or tests, at his own expense, in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person does not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

G. Upon request of the person who submitted to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests must be made available to him or his attorney.

H. Evidence of a refusal to submit to a chemical test is inadmissible in any civil action or proceeding, or criminal action under Section 11-501 of Chapter 95 1/2, Illinois Revised Statutes; or in any action brought against him for violation of this Ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor. However, nothing in this subsection (H) shall prevent the admission of evidence of such refusal in a hearing on the suspension of a person's privilege to operate a motor vehicle. (1975 Code)

9-5-25: UNLICENSED MOTOR VEHICLES: No unlicensed motor vehicle shall be used or operated by anyone within the corporate limits of the Village of East Alton. Any property owner who knowingly allows the use and operation on his private property shall be in violation of this Section.

Exemptions: Nothing in this section is intended to hinder the use of farm equipment used in husbandry, lawn tractors used for maintenance, motorized vehicles used in the transportation of goods or supplies on business property or slow moving vehicles as described and regulated

through Illinois State Law.