

ORDINANCE 378

AN ORDINANCE CONCERNING EQUIPMENT OF VEHICLES OTHER THAN MOTORCYCLES; AND CONCERNING MOTORCYCLE EQUIPMENT; AND CONCERNING SOUND AMPLIFICATION DEVICES IN VEHICLES; AND ESTABLISHING A PENALTY AND PENALTY PROCEDURE FOR VIOLATIONS OF THE ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, NORTH DAKOTA that an ordinance concerning equipment of vehicles other than motorcycles; concerning motorcycle equipment; and a penalty procedure for violations of the ordinance read as follows:

Section 1. Equipment of vehicles Other Than Motorcycles. The provisions of NDCC Chapter 39-21 and all subsequent amendments are hereby incorporated by reference in this ordinance. Any violation of those requirements relating to equipment of motor vehicles shall constitute a violation of this ordinance and is prohibited. Reference: Chapter 39-21, NDCC.

Section 2. Motorcycle Equipment. The provisions of NDCC Chapter 39-27 and all subsequent amendments are hereby incorporated by reference in this ordinance. Any violation of those requirements concerning equipment of motorcycles shall constitute a violation of this ordinance and is prohibited. Reference: Chapter 39-21, NDCC.

Section 3. When Lighted Lamps Are Required. Subject to exceptions with respect to parked vehicles, every vehicle upon a street, highway or private property open to vehicular traffic within the City of Rolla must display lighted lamps and illuminating devices as required by NDCC Chapter 39-21 for different classes of vehicles as follows:

1. At any time from sunset to sunrise, and every farm tractor upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise;
2. At any time when it is raining, snowing, sleeting, or hailing or during other adverse driving conditions and these conditions do not render a person or vehicle on a street or highway clearly discernible at a distance of one thousand feet (304.8 meters) ahead; or
3. At any other time when visibility is impaired by weather, smoke, fog, or other conditions or when there is sufficient light to render a person or vehicle on a street or highway clearly discernible at a distance of one thousand feet (304.8 meters) ahead.

Stoplights, turn signals, and other signaling devices must be lighted as prescribed for the use of such devices.

Section 4. Headlamps On Motor Vehicles. Every motor vehicle must be equipped with at least two headlamps with at least one on each side of the front of the motor vehicle, which headlamps must

comply with the requirements and limitations set forth in NDCC Chapter 39-21.

Section 5. Taillamps.

1. Every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, must be equipped with at least one tail lamp mounted on the rear, which, when lighted as hereinbefore required, must emit a red light plainly visible from a distance of one thousand feet (304.8 meters) to the rear, provided that in the case of a train of vehicles only the tail lamp on the rear most vehicle need actually be seen from the distance specified. Every such above-mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after January 1, 1964, must be equipped with at least two tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as herein required, comply with the provisions of this section.

2. Every tail lamp upon every vehicle must be located at a height of not more than seventy-two inches (182.898 centimeters) nor less than fifteen inches (38.1 centimeters).

3. Either a tail lamp or a separate lamp must be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty feet (15.24 meters) to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, must be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

Section 6. Muffler-Prevention of Noise and Smoke.

1. Every motor vehicle must at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person may use a muffler cutout, bypass, or similar device upon a motor vehicle on a street, highway or private property open to vehicular traffic within the City of Rolla.

2. The engine and power mechanism of every motor vehicle must be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

Section 7. Windshield-Must be unobstructed and equipped with wipers-Tinted windows.

1. Every motor vehicle must be equipped with a windshield. No person may drive any motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, side wings, or side or rear windows which obstructs the driver's clear view of the street or highway or any intersecting street or highway.

2. The windshield on every motor vehicle must be equipped with a device for cleaning rain, snow or other moisture from the windshield, which must be so constructed as to be controlled or operated by the driver of the vehicle.

3. Every windshield wiper upon a motor vehicle must be maintained in good working order.

4. A person may not operate a motor vehicle with any object, material, or tinting displayed, affixed, or applied on the front windshield or any window unless the object, material, or tinting in conjunction with the window or windshield upon which it is displayed, affixed, or applied has a light transmittance of at least seventy percent. This subsection does not apply to windows behind the operator if the motor vehicle is equipped with outside mirrors on both sides that meet with requirements of NDCC Section 39-21-38, nor to front side windows displaying transparent sun-screening material as authorized by competent medical authority.

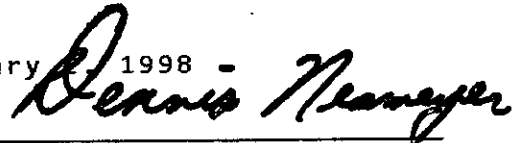
Section 8. Sound Amplification Devices. No driver of a vehicle shall operate, or permit the operation of any sound amplification system which can be heard outside the vehicle from 50 or more feet when the vehicle is being operated upon a street, highway or private property open to vehicular traffic in the City of Rolla, unless that system is being operated to request assistance or warn of a hazardous situation. This section shall not apply to authorized emergency vehicles or vehicles operated by gas, electric, communications, or water utilities. This section does not apply to the sound systems of vehicles used for advertising, or in parades, political or other special events that have been approved by the council and have the proper permit/s.

Section 9. Penalty Procedure. The fee for a violation of this Ordinance is \$20.00. Persons in violation of Section 1-7 of the Ordinance shall be charged in municipal court with a violation of the applicable section, with reference to the section number or title of the pertinent state statute made in the citation or complaint.

Section 10. Effective date. This ordinance shall be in full force and take effect immediately upon its final passage and approval.

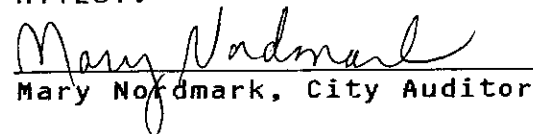
First Reading: January 21, 1998.
Second Reading and Final Passage:
Approval: February 2, 1998

February 1998 -



Dennis Neameyer, Mayor

ATTEST:



Mary Nordmark, City Auditor