

ORDINANCE NO. 172

AN ORDINANCE to regulate traffic on the streets and highways of the City of Alexandria, Virginia.

Be it ordained by the Council of the City of Alexandria, Virginia:

Section 1: Reckless driving. Any person who drives a vehicle upon a street or highway of the City of Alexandria recklessly, or at a speed or in a manner so as to endanger, or be likely to endanger life, limb or property of any person shall be guilty of reckless driving. Every person convicted of reckless driving, under this section, shall be punished for a first violation by a fine of not less than ten dollars nor more than one hundred dollars, or by confinement in jail not to exceed thirty days, or both; for conviction for subsequent violations, within twelve months from the date of a prior conviction for reckless driving, a fine of not less than fifty dollars, nor more than three hundred dollars, or he may be further punished by imprisonment in jail for a period of not less than ten days nor more than ninety days, or by both such fine and imprisonment.

Section 2. Restrictions as to speed. Any person driving a vehicle on a street or highway shall drive the same at a careful speed not greater nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street or highway and of any other conditions then existing. Any person who shall drive any vehicle upon a street or highway at such speed as to endanger the life, limb or property of any person, or so as to unnecessarily block, hinder or retard the orderly and safe use of the street or highway, by those following, or so as to cause congestion on the street or highway, shall be prima facie guilty of reckless driving.

(b) Any person who shall drive at a speed exceeding the speeds set forth in this subsection shall be prima facie guilty of reckless driving:

First: Fifteen miles an hour when passing a school during recess or while children are going to or leaving school during its opening and closing hours; provided, that markers be placed on the streets or highways so as to plainly show the location of such schools.

Second: Fifteen miles an hour in a business district, as defined herein.

Third: Twenty-five miles an hour in residence district, as defined herein.

Fourth: Such speed as shall be fixed by the Traffic Board for congested areas or at dangerous points on the highways, which areas or points shall be clearly indicated by markers or signs.

Fifth: Forty-five miles an hour under all other conditions.

(c) Reckless driving within the meaning of this section shall be deemed to include the following offenses, which are expressly prohibited:

First: Driving a vehicle when not under complete control, or with inadequate or improperly adjusted brakes.

Second: Driving to the left of the center of the street except upon one-way streets.

Third: Passing or attempting to pass two other vehicles abreast, moving in the same direction.

Fourth: Violating the provisions of the right of way laws, as set out in Sections 16 and 17.

Fifth: Failure to give adequate and timely signals of intention to turn or partly turn, slow down, or stop.

Sixth: Exceeding a reasonable speed under the circumstances and traffic conditions obtaining at the time.

Seventh: Passing other vehicles going in the same direction while crossing an intersection, or while pedestrians are passing or about to pass in front of either of such vehicles.

Eighth: Driving a vehicle out of an alley, lane or building or across a sidewalk into a street, without first bringing such vehicle to a full stop immediately before crossing such sidewalk.

Ninth: Making a left turn without passing to the right of the center point of the intersection, whether marked or not, and without first signalling intention so to turn. This section shall not apply to intersections where a traffic light is in operation or where it is under the supervision of a traffic policeman in which event the vehicle may turn to the left of the center of the intersection but as close thereto as possible.

Tenth: Making a right turn without keeping close to the curb, and without first signalling intention so to turn.

(d) Any person who shall be guilty of reckless driving as set forth in this section shall be punished as provided in Section One of this ordinance.

Section 3. Special speed and weight limitations on bridges. It shall be unlawful to drive any vehicle upon any public bridge, causeway or viaduct at a speed which is greater than the maximum speed or of a greater weight than determined by the Traffic Board as hereinafter provided and plainly indicated by signs.

Section 4. When speed limit is not applicable. The speed limitations set forth in this ordinance shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department vehicles when traveling in response to fire alarm nor municipal ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

Section 5. Drive on right side of highways. Except as otherwise provided upon all streets and highways of sufficient width the driver of a vehicle shall drive the same upon the right half of the highway, unless it is impracticable to travel upon the right half of the highway and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing as hereinafter provided.

Section 6. Keep to the right in crossing intersections or railroads. In crossing an intersection of highways or the intersection of a highway by a railroad right of way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right side is obstructed or impassable.

Section 7. Special regulations applicable on streets and highways laned for traffic. Whenever any highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:

(a) A vehicle shall normally be driven in the lane nearest the right-hand edge or curb of the highway when said lane is available for travel except when overtaking another vehicle or in preparation for a left turn.

(b) A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(c) Upon a highway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another

vehicle or in preparation for a left turn or unless such center line is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted or marked to give notice of such allocation.

Section 8. Passing vehicles proceeding in opposite directions. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other, as nearly as possible, one-half of the main traveled portion of the roadway.

Section 9. Overtaking a vehicle. (a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at least two feet to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle.

(b) The driver of an overtaking motor vehicle when traveling outside of a business or residence district as herein defined shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

Section 10. Driver to give way to overtaking vehicle. The driver of a vehicle about to be overtaken and passed by another vehicle approaching from the rear at a lawful rate of speed shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 11. Limitations on privilege of overtaking and passing. (a) The driver of a vehicle shall not drive to the left side of the center line of a street or highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety, and such overtaking vehicle shall give way to an oncoming vehicle.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed.

(c) The driver of a vehicle shall not overtake and pass any other vehicles proceeding in the same direction at any steam or electric railway grade crossing, nor at any intersection of highways unless permitted so to do by a traffic or police officer directing traffic at that point.

Section 12. Following too closely. (a) The driver of a motor vehicle shall not follow another more closely than is reasonable and prudent, having due regard to the speed of both vehicles and the traffic upon, and conditions of, the highway at the time.

Section 13. Turning around in streets. The driver of a vehicle within business districts shall not turn such vehicle so as to proceed in the opposite direction except at an intersection of highways.

Section 14. Turning at intersections. (a) Drivers of vehicles, when turning to the right, shall keep as closely as practicable to the right hand curb or edge of the street or highway, and, when turning to the left, shall pass beyond the center of the intersection, and as closely as practicable to the right of the center of such intersection before turning such vehicle to the left and shall turn the corner at a rate of speed not to exceed ten miles per hour. This section shall not apply to intersections where a traffic light is in operation or where it is under the supervision of a traffic policeman, in which event the vehicle may turn to the left of the center of the intersection but as close thereto as possible. For the purpose of this

section the center of the intersection shall mean the meeting point of the medial lines of the streets or highways intersecting one another.

Section 15. Signals on starting, stopping, or turning. (a). Every driver who intends to start, stop, or turn, or partly turn from a direct line, shall first see that such movement can be made in safety and whenever the operation of any other vehicle may be affected by such movement shall give a signal as required in this section plainly visible to the driver of such other vehicle or his intention to make such movement.

(b) The signal herein required shall be given by means of the hand and arm, or by some mechanical or electrical device approved by the State Director of Motor Vehicles, in the manner herein specified. Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the manner following:

(c) For left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder.

(d) For right turn, or to pull to the right, the arm shall be extended upward.

(e) For slowing down or to stop, the arm shall be extended downward.

(f) Such signals shall be given at least fifty feet before slowing down, stopping, turning, partly turning, or materially altering the course of the vehicle.

(g) Drivers having once given a hand, electrical or mechanical device signal, must continue the course thus indicated, unless they alter the original signal and take care that drivers of vehicles and pedestrians have seen and are aware of the change.

(h) Drivers receiving a signal from another driver shall keep their vehicle under complete control, and shall be able to avoid an accident resulting from a misunderstanding of such signal.

(i) Drivers of vehicles, standing or stopped at the curb or edge before moving such vehicles, shall give signals of their intention to move into traffic, as hereinbefore provided, before turning in the direction the vehicle will proceed from the curb.

Section 16. Right of way. (a) When two vehicles approach or enter an intersection 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. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle approaching but not having entered an intersection shall yield the right of way to a vehicle within such intersection and turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal or intention to turn left.

(c) The driver of any vehicle upon a highway within a business or residence district shall yield the right of way to a pedestrian crossing such highway within any clearly marked crosswalk or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic direction devices.

Section 17. **Exception to the right of way rules.** The driver of a vehicle entering a public highway from a private road or driveway shall, immediately before entering such highway, stop, and upon entering such highway shall yield the right of way to all vehicles approaching on such public highway.

Section 18. **What to do on approach of police or fire department vehicle.** (a) Upon the approach of any police or fire department vehicle, giving audible signal by siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position at or near as possible and parallel to the right-hand edge or curb, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer, until the police or fire department vehicle shall have passed.

(b) It shall be unlawful for the driver of any vehicle other than the one on official business to follow any fire apparatus traveling in response to a fire alarm, closer than one block, or to drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Section 19. **Pedestrians.** (a) When crossing highways or streets pedestrians shall not carelessly or maliciously interfere with the orderly passage of vehicles and shall cross wherever possible, only at intersections or crosswalks. Pedestrians in crossing any street at intersection with another street, shall at all times have the right of way over vehicles making right turns into streets being crossed by such pedestrians.

(b) At such intersection where no traffic officer is on duty pedestrians shall have the right of way over vehicles.

(c) This shall not entitle the pedestrian to enter or cross the intersection, regardless of approaching traffic, but shall be interpreted to require vehicles to change their course, slow down, or come to a complete stop if necessary to permit pedestrians to safely and expeditiously negotiate the crossing.

(d) Pedestrians shall cross only at right angles, and shall not cross highways diagonally; nor, except to board a street car, or to enter a safety zone at right angles, shall they step into that portion of the highway open to moving traffic, at any point between intersections where their presence would be obscured from the vision of approaching drivers by a vehicle or other obstruction at the curb or side.

(e) When actually boarding or alighting from a bus or other public carrier, pedestrians shall have the right of way over vehicles, but shall not, in order to board or alight from buses or other public carriers, step into the street sooner, nor remain there longer than is absolutely necessary to do so.

(f) Pedestrians shall not use the highways, other than the sidewalks thereof, for travel, except when obliged to do so by the absence of sidewalk, reasonable, suitable and passable for their use, in which case they shall keep as near as reasonably possible to the extreme left side or edge of same.

(g) No person shall play on a street or highway, other than upon the sidewalks, thereof within the city, or use in play thereon roller skates, coasters or any similar vehicle or toy or other article on wheels or runners, excepting bicycles, tricycles and motorcycles, except in such areas as may be especially designated for that purpose by the City Manager.

(h) Any person convicted of violating any of the provisions of this section shall be fined not less than two dollars nor more than twenty-five dollars for each separate offense.

Section 20. **Driving through safety zone prohibited.** The driver of a vehicle shall not, at any time drive through or over a safety zone.

Section 21. **Parking in front of fire hydrant, fire station or private driveway.** No person shall park a vehicle or permit it to stand whether attended or unattended, upon a street or highway in front of a private driveway, or within fifteen feet in either direction of a fire hydrant or the entrance to a fire station nor within twenty-five feet from the intersection of curb lines, or if none, then within fifteen feet of the intersection of property lines at an intersection of streets or highways.

(a) Double parking is hereby prohibited except in cases of merchants making deliveries.

Section 22. **Coasting prohibited.** The driver of a motor vehicle when traveling upon a down grade upon any street or highway shall not coast with the gears of such vehicle in neutral.

Section 23. Persons riding bicycles or animals to obey traffic regulations. Every person riding a bicycle or an animal upon a roadway and every person driving any animal shall be subject to the provisions of this article applicable to the driver of a vehicle, except those provisions which by their very nature can have no application.

Section 24. **Injuring signs.** Any person who shall deface, injure, knock down or remove any sign legally posted as provided in this Ordinance shall be guilty of a misdemeanor.

Section 25. There is hereby created a Traffic Board to be composed of the Mayor, City Manager, and Chief of Police, which Board shall have power to prescribe the following regulations:

(a) Speed and weight of vehicles over bridges, causeways or viaducts in the City.

(b) Time limits on parking in areas where traffic conditions may require.

(c) No parking area.

(d) Traffic stops at intersections.

Any regulation adopted by the Traffic Board shall not be effective until the restriction imposed is clearly indicated on a sign or other marker or device erected at the area affected.

Section 26. For the purposes of this Ordinance the following words and phrases when used herein shall have the meanings hereinafter respectively ascribed to them, except in those instances where the context clearly indicates a different meaning.

"Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks (provided, that for the purpose of this act, a bicycle shall be deemed a vehicle).

"Person." Every natural person, firm, co-partnership, association or corporation (whether acting by themselves or by a servant, agent or employee).

"Highway." Every way or place of whatever nature open to the use of the public for the purpose of vehicular travel in the City.

"Private road or driveway." Every road or driveway not open to the use of the public for the purpose of vehicular travel.

"Intersection." The area embraced within the prolongation of the lateral curb lines, or if none, then the lateral boundary lines of two or more highways, which join one another at an angle, whether or not one such highway crosses the other.

"Safety zone." An area or space officially set aside within a highway, for the exclusive use of pedestrians, and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

"Crossing" and or "crosswalks" shall include and mean that part of a street connecting sidewalks at or near street intersections, and the most direct route from curb to curb at street intersections, and at such other places as may be indicated by lines drawn or marked upon the highway.

"Business district." The territory contiguous to a highway when seventy-five per centum or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business purposes.

"Residence district." The territory contiguous to a highway, not comprising a business district, when seventy-five per centum or more of the frontage thereon for a distance of three hundred feet or more is mainly occupied by dwelling, or by dwellings and buildings in use for business purposes.

"Reckless driving." Shall mean the operation of a vehicle in a manner potentially offering harm, or injury or damage to any person, property, or thing, as a result of the act itself, or in combination with circumstances, conditions and acts of others.

"Right of way." Shall mean the right of a pedestrian, or vehicle to proceed uninterruptedly in a lawful manner, in preference or priority to another pedestrian or vehicle approaching in another direction.

"Traffic." Shall mean the orderly use of streets by pedestrians and vehicles, both singly and together.

Section 27. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion. This provision shall not apply at intersections where traffic is controlled by traffic signals or police officers. Each driver in a funeral or other procession shall drive as near the right-hand edge of the roadway as practicable and follow the vehicle ahead as close as practicable.

Section 28. Any violation of any of the provisions of this ordinance or any effective regulation of the Traffic Board for which no other penalty is specifically provided herein, shall be punishable by a fine of not less than Five nor more than Three Hundred Dollars, or by imprisonment in the City Jail for a period not exceeding ninety days, or both, in the discretion of the court.

Section 29. Should any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 30. This ordinance shall take effect on the day following its publication in The Alexandria Gazette.

Approved this 5th day of February, 1935.

E. C. DAVISON, Mayor.