

**CIVIL TRAFFIC ORDINANCE
VEHICLE LIGHTING AND OTHER EQUIPMENT**

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- 8.37.010 Scope and Effect of Regulations - General Penalty**

- (a) It is a traffic infraction for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle 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 times equipped with the lamps and other equipment in proper condition and adjustment as required in this Chapter or in regulations issued by the Chief of Police of the Skokomish Tribe, or which is equipped in any manner in violation of this Chapter or the Chief of Police's regulations, or for any person to do any act forbidden or fail to perform any act required under this Chapter or the Chief of Police's regulations.

- (b) Nothing contained in this Chapter or the Chief of Police's regulations shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this Chapter or the Chief of Police's regulations.
- (c) The provisions of this Chapter and the Chief of Police's regulations with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as made applicable.
- (d) No owner or operator of a farm tractor, self-propelled unit of farm equipment, or implement of husbandry is guilty of a crime or subject to penalty for violation of 8.37.160 unless the violation occurs on a public highway.
- (e) The provisions of this Chapter with respect to equipment required on vehicles shall not apply to motorcycles or motor-driven cycles except as specifically made applicable.
- (f) Whenever a traffic infraction is chargeable to the owner or lessee of a vehicle under subsection (a) of this section, the driver shall not be arrested or issued a notice of traffic infraction unless the vehicle is registered in a jurisdiction other than Washington state, or unless the infraction is for an offense that is clearly within the responsibility of the driver.
- (g) Whenever the owner or lessee is issued a notice of traffic infraction under this section the court may, on the request of the owner or lessee, take appropriate steps to make the driver of the vehicle, or any other person who directs the loading, maintenance, or operation of the vehicle, a codefendant. If the codefendant is held solely responsible and is found to have committed the traffic infraction, the court may dismiss the notice against the owner or lessee.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.020 When Lighted Lamps and Signaling Devices Are Required

Every vehicle upon a highway at any time from a half hour after sunset to a half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of one thousand feet ahead shall display lighted head lights, other lights, and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles. The stop lights, turn signals, and other signaling devices shall be lighted as prescribed for the use of the devices.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.030 Visibility Distance and Mounted Height of Lamps

- (a) Whenever a requirement is declared as to distance from which certain lamps and devices shall render objects visible or within which the lamps or devices shall be visible, these provisions shall apply during the times that lights are required in respect to a vehicle without load, on a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.
- (b) The mounted height of lamps or devices means from the center of the lamp or device to the level ground when the vehicle is without a load.
- (c) No additional lamp, reflective device, or other motor vehicle equipment shall be added which impairs the effectiveness of this standard.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.040 Head Lamps on Motor Vehicles

- (a) Every motor vehicle shall be equipped with at least two head lamps, with at least one on each side of the front of the motor vehicle, which comply with the requirements and limitations in this chapter.
- (b) Every head lamp upon every motor vehicle shall be located at a height of not more than fifty-four inches nor less than twenty-four inches.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.050 Tail Lamps

- (a) Every motor vehicle, trailer, semitrailer, pole trailer, and any other vehicle being drawn at the end of a combination of vehicles, shall be equipped with at least two tail lamps mounted on the rear, which, when lighted during the time that lights are required, shall emit a red light plainly visible from a distance of one thousand feet to the rear, except that passenger cars manufactured or assembled prior to January 1, 1939, shall have at least one tail lamp. On a combination of vehicles only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable.
- (b) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than fifteen inches.
- (c) Either a tail lamp or a separate lamp shall 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 to the rear. Any tail lamp or tail lamps, together with any separate lamp or lamps for illuminating the rear registration plate, shall be lighted whenever the head lamps or auxiliary driving lamps are lighted.

8.37.060 Reflectors

- (a) Every motor vehicle, trailer, semitrailer, and pole trailer shall carry on the rear, either as a part of the tail lamps or separately, two or more red reflectors.
- (b) Every reflector shall be mounted on the vehicle at a height not less than fifteen inches nor more than seventy-two inches, and shall be of a size and characteristics and so mounted as to be visible at night from all distances within six hundred feet to one hundred feet from the vehicle when directly in front of lawful upper beams of head lamps, except that reflectors on vehicles manufactured or assembled prior to January 1, 1970, shall be visible at night from all distances within three hundred and fifty feet to one hundred feet when directly in front of lawful upper beams of head lamps.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.070 Stop Lamps and Turn Signals Required

- (a) Every motor vehicle, trailer, semitrailer, and pole trailer shall be equipped with two or more stop lamps, except that passenger cars manufactured or assembled prior to January 1, 1964, shall be equipped with at least one stop lamp. On a combination of vehicles, only the stop lamps on the rearmost vehicle need actually be seen from the distance required.
- (b) Every motor vehicle, trailer, semitrailer and pole trailer shall be equipped with electric turn signal lamps, except that passenger cars, trailers, semitrailers, pole trailers, and trucks less than eighty inches in width, manufactured or assembled prior to January 1, 1953, need not be equipped with electric turn signal lamps.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.080 Application of Succeeding Sections

The sections which immediately follow, relating to clearance lamps, marker lamps, and reflectors, apply as stated to vehicles of the types specified, namely buses, trucks, truck tractors, and trailers, semitrailers, and pole trailers, respectively, when operated upon any highway, and these vehicles shall be equipped as required and all required lamp equipment shall be lighted during the time that lights are required. For purposes of these sections, a camper, when mounted upon a motor vehicle, shall be considered part of the permanent structure of that motor vehicle.

8.37.090 Additional Equipment Required on Certain Vehicles

In addition to other equipment required, the following vehicles shall be equipped as follows:

- (a) Buses, Trucks, Motor Homes, and Motor Vehicles with Mounted Campers Eighty Inches or More in Over-All Width.
 - (1) On the front, two clearance lamps, one at each side, and on vehicles manufactured or assembled after January 1, 1964, three identification lamps meeting the specifications of subsection (g) of this section;

- (2) On the rear, two clearance lamps, one at each side, and after January 1, 1964, three identification lamps meeting the specifications of subsection (g) of this section;
 - (3) On each side, two side marker lamps, one at or near the front and one at or near the rear;
 - (4) On each side, two reflectors, one at or near the front and one at or near the rear.
- (b) Trailers and Semitrailers Eighty Inches or More in Over-All Width.
- (1) On the front, two clearance lamps, one at each side;
 - (2) On the rear, two clearance lamps, one at each side, and after January 1, 1964, three identification lamps meeting the specifications of subsection (g) of this section;
 - (3) On each side, two side marker lamps, one at or near the front and one at or near the rear;
 - (4) On each side, two reflectors, one at or near the front and one at or near the rear. A mobile home need not be equipped with side marker lamps or reflectors while operated under the terms of a special permit.
- (c) Truck Tractors. On the front, two cab clearance lamps, one at each side, and on vehicles manufactured or assembled after January 1, 1964, three identification lamps meeting the specifications of subsection (g) of this section.
- (d) Trailers, Semitrailers, and Pole Trailers Thirty Feet or More in Over-All Length. On each side, one amber side marker lamp and one amber reflector, centrally located with respect to the length of the vehicle. A mobile home need not be equipped with side marker lamps or reflectors while operated under the terms of a special permit.
- (e) Pole Trailers.
- (1) On each side, one amber side marker lamp at or near the front of the load;
 - (2) One amber reflector at or near the front of the load;
 - (3) On the rearmost support for the load, one combination marker lamp showing amber to the front and red to the rear and side, mounted to indicate maximum width of the pole trailer.
- (f) Boat Trailers Eighty Inches or More in Overall Width.

- (1) One on each side, at or near the midpoint, one clearance lamp performing the function of both a front and rear clearance lamp;
 - (2) On the rear, after June 1, 1978, three identification lamps meeting the specifications of subsection (g) of this section;
 - (3) One on each side, two side marker lamps, one at or near the front and one at or near the rear;
 - (4) On each side, two reflectors, one at or near the front and one at or near the rear.
- (g) Identification lamps required or permitted by this chapter shall be grouped in a horizontal row, with lamp centers spaced not less than six nor more than twelve inches apart, and mounted on the permanent structure of the vehicle as close as practicable to the vertical centerline. When the cab of a vehicle is not more than forty-two inches wide at the front roof line, a single identification lamp at the center of the cab complies with the requirements for front identification lamps.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.100 Color of Clearance Lamps, Side Marker Lamps, Back-Up Lamps, and Reflectors

- (a) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.
- (b) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.
- (c) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop lamp or other signal device, which may be red, amber, or yellow, and except that on any vehicle forty or more years old, the taillight may also contain a blue or purple insert of not more than one inch in diameter, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.110 Mounting of Reflectors, Clearance Lamps, Identification Lamps, and Side Marker Lamps

- (a) Required reflectors shall be mounted at a height not less than twenty-four inches and not higher than sixty inches, except that if the highest part of the permanent structure of the vehicle is less than twenty-four inches the reflector at that point shall be mounted as high as the permanent structure will permit. The rear reflectors on a pole trailer may be mounted on each side of the bolster or load. Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but the reflector shall meet all the other reflector requirements of this chapter.

- (b) Clearance lamps shall be mounted on the permanent structure of the vehicle so as to indicate the extreme height and width of the vehicle. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required by both. No rear clearance lamp may be combined in any shell or housing with any tail lamp or identification lamp.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.120 Visibility of Reflectors, Clearance Lamps, Identification Lamps, and Side Marker Lamps

- (a) Every required reflector on any vehicle shall be of a size and characteristics and maintained so as to be readily visible at nighttime from all distances within six hundred feet to one hundred feet from the vehicle when directly in front of lawful lower beams of head lamps, except that the visibility for reflectors on vehicles manufactured or assembled prior to January 1, 1970, shall be measured in front of the lawful upper beams of headlamps.
- (b) Front and rear clearance lamps and identification lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at all distances between five hundred feet and fifty feet from the front and rear, respectively, of the vehicle.
- (c) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at all distances between five hundred feet and fifty feet from the side of the vehicle.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.130 Obstructed Lights Not Required

Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination. This does not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination be lighted.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.140 Lamps, Reflectors, and Flags on Projecting Load

- (a) When the load on any vehicle extends four feet or more beyond the rear of the bed or body of the vehicle during the time that lights are required, two red lamps, visible from a distance of at least five hundred feet to the rear; two red reflectors, visible at night from all distances within six hundred feet to one hundred feet to the rear when directly in front of lawful lower beams of headlamps and located so as to indicate maximum width; and, on each side, one red lamp, visible from a distance of at least five hundred feet to the side, located so as to indicate maximum overhang, shall be displayed at the extreme rear end of the load.

- (b) At all other times, any vehicle having a load which extends beyond its sides or more than four feet beyond its rear, shall display red flags, not less than twelve inches square, marking the extremities of the loads at each point where a lamp would otherwise be required by this section when lights are required.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.150 Lamps on Vehicles - Parked or Stopped Vehicles, Lighting Requirements

- (a) Every parked or stopped vehicle shall be equipped with one or more lamps which, when lighted, shall display a white or amber light visible from a distance of one thousand feet to the front, and a red light visible from a distance of one thousand feet to the rear of the vehicle. The location of the lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.
- (b) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and there is sufficient light to reveal any person or object within a distance of one thousand feet upon the street or highway, no lights need be displayed on the parked vehicle.
- (c) Whenever a vehicle is parked or stopped on a roadway or shoulder, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is insufficient light to reveal any person or object within a distance of one thousand feet upon the highway, the vehicle shall be equipped with and shall display lamps meeting the requirements of subsection (a) of this section.
- (d) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.160 Hazard Warning Lights and Reflectors on Farm Equipment - Slow-Moving Vehicle Emblem

- (a) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1970, shall be equipped with vehicular hazard warning lights of the type described in 8.37.215 visible from a distance of not less than one thousand feet to the front and rear in normal sunlight, which shall be displayed whenever any vehicle is operated upon a highway.
- (b) Every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1970, shall at all times, and every other motor vehicle shall during the time that lights are required, be equipped with lamps and reflectors as follows:

- (1) At least two headlamps;
 - (2) At least one red lamp visible when lighted from a distance of not less than one thousand feet to the rear mounted as far to the left of center of the vehicle as practicable;
 - (3) At least two red reflectors visible from all distances within six hundred to one hundred feet to the rear when directly in front of lawful lower beams of headlamps.
- (c) Every combination of farm tractor and towed farm equipment or towed implement of husbandry shall, during the time that lights are required, be equipped with lamps and reflectors as follows:
- (1) The farm tractor element of every combination shall be equipped as required in subsections (a) and (b) of this section;
 - (2) The towed unit of farm equipment or implement of husbandry element of the combination shall be equipped on the rear with two red lamps visible when lighted from a distance of not less than one thousand feet to the rear, and two red reflectors visible from all distances within six hundred feet to one hundred feet to the rear when directly in front of lawful upper beams of head lamps. One reflector shall be so positioned to indicate, as nearly as practicable, the extreme left projection of the towed unit;
 - (3) If the towed unit or its load obscures either of the vehicle hazard warning lights on the tractor, the towed unit shall be equipped with vehicle hazard warning lights described in subsection (a) of this section.
- (d) The two red lamps and the two red reflectors required in the foregoing subsections of this section on a self-propelled unit of farm equipment or implement of husbandry or combination of farm tractor and towed farm equipment shall be so positioned as to show from the rear as nearly as practicable the extreme width of the vehicle or combination carrying them. If all other requirements are met, reflective tape or paint may be used in lieu of reflectors required by subsection (c) of this section.
- (e) After January 1, 1970, every farm tractor and every self-propelled unit of farm equipment or implement of husbandry designed for operation at speeds not in excess of twenty-five miles per hour shall at all times be equipped with a slow moving vehicle emblem mounted on the rear except as provided in subsection (f) of this section.
- (f) After January 1, 1970, every combination of farm tractor and towed farm equipment or towed implement of husbandry normally operating at speeds not in excess of twenty-five miles per hour shall at all times be equipped with a slow moving vehicle emblem as follows:
- (1) Where the towed unit is sufficiently large to obscure the slow moving vehicle emblem on the farm tractor, the towed unit shall be equipped with

a slow moving vehicle emblem. In these cases the towing vehicle need not display the emblem;

(2) Where the slow moving vehicle emblem on the farm tractor unit is not obscured in any way by the towed unit or its cargo, then either or both may be equipped with the required emblem but it shall be sufficient if either has it.

(g) The emblem required by subsections (e) and (f) of this section shall comply with current standards and specifications.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.170 Lamps and Reflectors on Other Vehicles and Equipment - Slow-Moving Vehicle Emblem on Animal-Drawn Vehicles

(a) Every vehicle, including animal-drawn vehicles and vehicles referred to in 8.37.010(c), not specifically required by the provisions of 8.37.020 through 8.37.330 to be equipped with lamps or other lighting devices, shall, during the time that lights are required, be equipped with at least one lamp displaying a white light visible from a distance of not less than one thousand feet to the front, and shall also be equipped with two lamps displaying red light visible from a distance of not less than one thousand feet to the rear of the vehicle, or as an alternative, one lamp displaying a red light visible from a distance of not less than one thousand feet to the rear and two red reflectors visible from all distances of six hundred to one hundred feet to the rear when illuminated by the lawful lower beams of head lamps.

(b) Every animal-drawn vehicle shall at all times be equipped with a slow-moving vehicle emblem.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.180 Spot Lamps and Auxiliary Lamps

(a) Spot Lamps. Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used that no part of the high intensity portion of the beam will strike the windshield, or any windows, mirror, or occupant of another vehicle in use.

(b) Fog Lamps. Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height of not less than twelve inches nor more than thirty inches and so aimed that when the vehicle is not loaded none of the high intensity portion of the light shall project to the left of the center of the vehicle at a distance of twenty-five feet ahead higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower head lamp beams.

(c) Auxiliary Passing Lamps. Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height not less than twenty-four inches nor more than forty-two inches.

- (d) Auxiliary Driving Lamps. Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than sixteen inches nor more than forty-two inches.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.184 Red Flashing Lights on Fire Department Vehicles

All fire department vehicles in service may be identified by red lights of an intermittent flashing type, visible from both front and rear for a distance of five hundred feet under normal atmospheric conditions. The red flashing lights shall be well separated from the headlights so that they will not black out when headlights are on. The red flashing lights shall be in operation at all times when the vehicle is on emergency status.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.185 Firemen's Private Cars

- (a) Firemen, when approved by the chief of their respective service, are authorized to use a green light on the front of their private cars when on emergency duty only. The green light shall be visible for a distance of two hundred feet under normal atmospheric conditions. The use of the green light is only for the purpose of identification, and the operator of a vehicle so equipped is be entitled to any of the privileges provided the operators of authorized emergency vehicles.
- (b) Any sign or plate indicating fire department connection on a private car of any member of a fire department shall include the name of the municipality or fire department organization to which the owner belongs.
- (c) No private vehicle bearing a sign or plate indicating a fire department connection, shall be driven or operated on any public highway, except when the owner is a bona fide member of a fire department.
- (d) Any individual displaying a green light, or a sign or plate, shall also carry attached to a convenient location on the private vehicle to which the green light or sign or plate is attached, an identification card showing the name of the owner of the vehicle, the organization to which he or she belongs and bearing the signature of the chief of the service involved.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.190 Warning Devices on Vehicles - Other Drivers Yield and Stop

- (a) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.
- (b) Every school bus and private carrier bus shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a "stop"

signal upon a background not less than fourteen by eighteen inches displaying the word "stop" in letters of distinctly contrasting colors not less than eight inches high, and shall further be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.

- (c) Vehicles operated by public agencies whose law enforcement duties include the authority to stop and detain motor vehicles on the public highways may be equipped with a siren and either red or blue lights of a type designated for that purpose.
- (d) The lights described in this section shall not be mounted nor used on any vehicle other than a school bus, a private carrier bus, or an authorized emergency or law enforcement vehicle. Optical strobe light devices shall not be installed or used on any vehicle other than an emergency vehicle authorized by the Chief of Police.
- (e) The use of the signal equipment described herein, used in conjunction with emergency equipment, shall impose upon drivers of other vehicles the obligation to yield right of way and stop.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.193 Signs on Buses

Every school bus and private carrier bus, in addition to any other equipment or distinctive markings required by this chapter, shall bear upon the front and rear, above the windows, plainly visible signs containing only the words "school bus" on a school bus and only the words "private carrier bus" on a private carrier bus, in letters not less than eight inches in height.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.196 Red Lights on Emergency Tow Trucks

All emergency tow trucks shall be identified by an intermittent or revolving red light capable of 360° visibility at a distance of five hundred feet under normal atmospheric conditions. This intermittent or revolving red light shall be used only at the scene of an emergency or accident, and it is unlawful to use the light while traveling to or from an emergency or accident, or for any other purposes.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.200 Stop Lamps and Electric Turn Signals

- (a) Any vehicle may be equipped and when required under this chapter shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet and on any vehicle manufactured or

assembled after January 1, 1964, three hundred feet to the rear in normal sunlight, and which shall be actuated upon application of a service brake, and which may but need not be incorporated with one or more other rear lamps.

- (b) Any vehicle may be equipped and when required, shall be equipped, with electric turn signals mounted on the same level and as widely spaced laterally as practicable, which indicate an intention to turn by flashing lights showing to the front and rear of a vehicle or on a combination of vehicles on the side of the vehicle or combination toward which the turn is to be made. The lamps showing to the front shall, when signaling, emit amber light. On any vehicle manufactured prior to January 1, 1969, the lamps showing to the front may emit white or amber light, or any shade of light between white and amber. The lamp showing to the rear shall, when signaling, emit a red or amber light, or any shade of color between red and amber. Turn signal lamps shall be visible from a distance of not less than five hundred feet to the front and rear in normal sunlight. Turn signal lamps may, but need not, be incorporated in other lamps on the vehicle.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.210 Additional Lighting Equipment

- (a) Any motor vehicle may be equipped with:
 - (1) Not more than two side cowl or fender lamps which shall emit an amber or white light without glare.
 - (2) Not more than one running-board courtesy lamp on each side which shall emit a white or amber light without glare.
 - (3) One or more back-up lamps either separately or in combination with other lamps, but any back-up lamp or lamps shall not be lighted when the motor vehicle is in forward motion.
 - (4) One or more side marker lamps, and any such lamp may be flashed in conjunction with turn or vehicular hazard warning signals. Side marker lamps located toward the front of a vehicle shall be amber, and side marker lamps located toward the rear shall be red.
- (b) Any vehicle eighty inches or more in over-all width, if not otherwise required, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.215 Hazard Warning Lamps

- (a) Any vehicle may be equipped with lamps for the purpose of warning operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing.

- (b) After June 1, 1978, every motor home, bus, truck, truck tractor, trailer, semitrailer, or pole trailer eighty inches or more in overall width or thirty feet or more in overall length shall be equipped with lamps meeting the requirements of this section.
- (c) Vehicular hazard warning signal lamps used to display the warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights. On any vehicle manufactured prior to January 1, 1969, the lamps showing to the front may display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display the warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred feet in normal sunlight.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.220 Multiple-Beam Road-Lighting Equipment

Except as provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations, and the lamps may be arranged so the selection can be made automatically subject to the following limitations:

- (a) There shall be an upper distribution of light so aimed and of such intensity as to reveal persons and vehicles at a distance of four hundred fifty feet ahead for all conditions of loading;
- (b) There shall be a lower distribution of light so aimed and of sufficient intensity to reveal persons and vehicles at a distance of one hundred fifty feet ahead; and on a straight level road under any conditions of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver;
- (c) Every motor vehicle which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the upper distribution of light from the head lamps is in use, and shall not otherwise be lighted. This indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.230 Use of Multiple-Beam Road-Lighting Equipment

- (a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the time that lights are required, the driver shall use a distribution of light directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

- (b) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, the driver shall use a distribution of light aimed so that the glaring rays are not projected into the eyes of the oncoming driver. The lower distribution of light shall be deemed to avoid glare at all times, regardless of road contour and loading.
- (c) Whenever the driver of a vehicle approaches another vehicle from the rear within three hundred feet the driver shall use a distribution of light permissible under this chapter other than the upper distribution of light.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.240 Single-Beam Road-Lighting Equipment

Head lamp systems which provide only a single distribution of light are permitted on all farm tractors regardless of date of manufacture, and on all other motor vehicles manufactured and sold prior to one year after March 18, 1955, in lieu of multiple-beam road-lighting equipment if the single distribution of light complies with the following requirements and limitations:

- (a) The head lamps shall be aimed so that when the vehicle is not loaded none of the high intensity portion of the light shall at a distance of twenty-five feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead;
- (b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.260 Alternate Road Lighting Equipment

Any motor vehicle may be operated during the time that lights are required when equipped with two lighted lamps upon the front capable of revealing persons and objects one hundred feet ahead in lieu of lamps required in 8.37.220 or 8.37.240. At no time shall it be operated at a speed in excess of twenty miles per hour.

8.37.270 Number of Lamps Required - Number of Additional Lamps Permitted

- (a) During the time that lights are required, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle, except when the vehicle is parked subject to the regulations governing lights on parked vehicles.
- (b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than three hundred candlepower, not more than a total of two of any such additional lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.280 Special Restrictions on Lamps

- (a) During the times lights are required, any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, warning lamps authorized by the Chief of Police, and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.
- (b) Except as required by this Ordinance, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light visible from directly in front of the center of the vehicle.
- (c) Flashing lights are prohibited except those required by this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.310 Selling or Using Lamps or Equipment

- (a) No person may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, or use upon any such vehicle any head lamp, auxiliary or fog lamp, rear lamp, signal lamp, or reflector, which reflector is required under this chapter, or parts of any of the foregoing which tend to change the original performance.
- (b) No person may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer any lamp or device mentioned in this section unless the lamp or device bears the trademark or name so as to be legible when installed.
- (c) No person may use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless the lamps are mounted, adjusted, and aimed in accordance with this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.340 Braking Equipment Required

Every motor vehicle, trailer, semitrailer, and pole trailer, and any combination of such vehicles operating upon a highway within this state shall be equipped with brakes in compliance with the requirements of this chapter .

- (a) Service Brakes - Adequacy. Every vehicle and combination of vehicles, except special mobile equipment as defined in 8.04.552, shall be equipped with service brakes adequate to control the movement of and to stop and hold the vehicle under all conditions of loading, and on any grade incident to its operation.

- (b) Parking Brakes - Adequacy. Every vehicle and combination of vehicles shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.360 Maintenance of Brakes - Brake System Failure Indicator

- (a) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the front and back wheels and to wheels on opposite sides of the vehicle.
- (b) All passenger cars manufactured on or after January 1, 1968, and other types of vehicles manufactured on or after September 1, 1975, shall be equipped with brake system failure indicator lamps which shall be maintained in good working order. The brake system shall demonstrate good working order and integrity by the application of a force of one hundred twenty-five pounds to the brake pedal for ten seconds without the occurrence of any of the following:
 - (1) Illumination of the brake system failure indicator lamp;
 - (2) A decrease of more than eighty percent of service brake pedal height as measured from its free position to the floorboard or any other object which restricts service brake pedal travel;
 - (3) Failure of any hydraulic line or other part.
- (c) Brake hoses shall not be mounted so as to contact the vehicle body or chassis. In addition, brake hoses shall not be cracked, chafed, flattened, abraded, or visibly leaking. Protection devices such as "rub rings" shall not be considered part of the hose or tubing.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.369 Wheels and Front Suspension

- (a) No vehicle shall be equipped with wheel nuts, hub caps, or wheel discs extending outside the body of the vehicle when viewed from directly above which:
 - (1) Incorporate winged projections; or
 - (2) Constitute a hazard to pedestrians and cyclists.

For the purposes of this section, a wheel nut is defined as an exposed nut which is mounted at the center or hub of a wheel, and is not one of the ordinary hexagonal nuts which secure a wheel to an axle and are normally covered by a hub cap or wheel disc.

- (b) Tire rims and wheel discs shall have no visible cracks, elongated bolt holes, or indications of repair by welding. In addition, the lateral and radial runout of each rim bead area shall not exceed one-eighth of an inch of total indicated runout.
- (c) King pins or ball joints shall not be worn to the extent that front wheels tip in or out more than one-quarter of an inch at the lower edge of the tire.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.375 Steering and Suspension Systems

- (a) Construction of Steering Control System. The steering control system shall be constructed and maintained so that no components or attachments, including horn activating mechanism and trim hardware, can catch the driver's clothing or jewelry during normal driving maneuvers.
- (b) Maintenance of Steering Control System. System play, lash, or free play in the steering system shall not exceed the values tabulated herein.

| Steering wheel diameter (inches) | Lash (inches) |
|----------------------------------|---------------|
| 16 or less | 2 |
| 18 | 2 1/4 |
| 20 | |
| 22 | 2 3/4 |

- (c) Linkage Play. Free play in the steering linkage shall not exceed one-quarter of an inch.
- (d) Other Components. Other components of the steering system such as the power steering belt, tie rods, or idler arms or Pitman arms shall not be broken, worn out, or show signs of breakage.
- (e) Suspension condition. Ball joint seals shall not be cut or cracked. Structural parts shall not be bent or damaged. Stabilizer bars shall be connected. Springs shall not be broken, or extended by spacers. Shock absorber mountings, shackles, and U-bolts shall be securely attached. Rubber bushings shall not be cracked, or extruded out or missing from suspension joints. Radius rods shall not be missing or damaged.
- (f) Shock absorber system. Shock absorbers shall not be loose from mountings, leak, or be inoperative.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.380 Horns, Warning Devices, and Theft Alarms

- (a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order, capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet. No horn or other warning device may emit an unreasonably loud or harsh sound or a whistle. The

driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with the horn but shall not otherwise use the horn.

- (b) No vehicle may be equipped with nor may any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.
- (c) A vehicle may be equipped with a theft alarm signal device so long as it is arranged so that it cannot be used by the driver as an ordinary warning signal. Such a theft alarm signal device may use a whistle, bell, horn, or other audible signal but not a siren.
- (d) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which case the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.390 Mufflers

- (a) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a highway.
- (b) No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the engine above that emitted by the muffler originally installed on the vehicle. It is unlawful for any person to operate a motor vehicle not equipped as required by this subsection, or which has been amplified as prohibited by this subsection.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.400 Mirrors

- (a) Every motor vehicle shall be equipped with a mirror mounted on the left side and located so as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of the vehicle.
- (b) Every motor vehicle shall be equipped with an additional mirror mounted either inside the vehicle approximately in the center or outside the vehicle on the right side and located so as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of the vehicle.
- (c) All mirrors required by this section shall be maintained in good condition.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.410 Windshields Required, Unobstructed and Equipped with Wipers

- (a) All motor vehicles operated on a public roadway shall be equipped with a front windshield manufactured of safety glazing materials for use in motor vehicles, except, however, on vehicles not so equipped or where windshields are not in use, the operators of the vehicles shall wear approved safety glasses, goggles, or face shields.
- (b) No person shall 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 highway or any intersecting highway.
- (c) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. It is unlawful for any person to operate a motor vehicle first sold or delivered after January 1, 1938, which is not equipped with such device or devices in good working order capable of cleaning the windshield thereof over two separate arcs, one each on the left and right side of the windshield, each capable of cleaning a surface of not less than one hundred twenty square inches, or other device or devices capable of accomplishing substantially the same result.
- (d) Every windshield wiper upon a motor vehicle shall be maintained in good working order.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.420 Tires - Restrictions

- (a) It is unlawful to operate a vehicle upon the public highways unless it is completely equipped with pneumatic rubber tires except vehicles equipped with temporary-use spare tires that meet federal standards that are installed and used in accordance with the manufacturer's instructions.
- (b) No tire on a vehicle moved on a highway may have on its periphery any block, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it is permissible to use farm machinery with tires having protuberances that will not injure the highway, and except also that it is permissible to use tire chains or metal studs imbedded within the tire of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. It is unlawful to use metal studs imbedded within the tire between April 1st and November 1st. The Chief of Police may, from time to time, determine additional periods in which the use of tires with metal studs imbedded therein is lawful.
- (c) The Chief of Police may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other

farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.423 Pneumatic Tires

It is a traffic infraction for any person, firm, or corporation to sell or offer for sale any new pneumatic passenger car tire which does not meet the standards of federal motor vehicle safety standard No. 109, as promulgated by the United States Department of Transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407) unless the tires are sold for off-highway use, as evidenced by a statement signed by the purchaser at the time of sale certifying that he is not purchasing the tires for use on the public highways.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.424 Regrooved Tires (Retreads)

It is a traffic infraction for any person, firm, or corporation to sell or offer for sale any regrooved tire which does not meet the standard established by federal motor vehicle standard part 569 - regrooved tires, as promulgated by the United States Department of Transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407) unless the tires are sold or regrooved for off-highway use, as evidenced by a statement signed by the purchaser or regroover at the time of sale or regrooving certifying that he is not purchasing or regrooving the tires for use on the public highways.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.425 Tires - Unsafe

No person shall drive or move or cause to be driven or moved any vehicle, the tires of which have contact with the driving surface of the road, unless the vehicle is equipped with tires in safe operating condition in accordance with requirements established by this section.

A tire shall be considered unsafe if it has:

- (a) Any ply or cord exposed either to the naked eye or when cuts or abrasions on the tire are probed; or
- (b) Any bump, bulge, or knot, affecting the tire structure; or
- (c) Any break repaired with a boot; or
- (d) A tread depth of less than $\frac{2}{32}$ of an inch measured in any two major tread grooves at three locations equally spaced around the circumference of the tire, or for those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two major tread grooves at three locations equally spaced around the circumference of the tire; or

- (e) A legend which indicates the tire is not intended for use on public highways such as, "not for highway use" or "for racing purposes only"; or
- (f) Such condition as may be reasonably demonstrated to render it unsafe; or
- (g) If not matched in tire size designation, construction, and profile to the other tire and/or tires on the same axle, except for temporary-use spare tires that meet federal standards that are installed and used in accordance with the manufacturer's instructions.

No person, firm, or corporation shall sell any vehicle for use on the public highways unless the vehicle is equipped with tires that are in compliance with the provisions of this section. If the tires are found to be in violation of the provisions of this section, the person, firm, or corporation selling the vehicle shall cause the tires to be removed from the vehicle and shall equip the vehicle with tires that are in compliance with the provisions of this section.

It is a traffic infraction for any person to operate a vehicle on the public highways, or to sell a vehicle for use on the public highways, which is equipped with a tire or tires in violation of the provisions of this section. If the violation relates to items (a) to (g), inclusive, of this section then the condition or defect must be such that it can be detected by a visual inspection of tires mounted on vehicles, including visual comparison with simple measuring gauges.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.430 Sunscreening or Coloring

- (a) When film sunscreening material is applied to any window except the windshield, outside mirrors on both the left and right sides shall be located so as to reflect to the driver a view of the roadway, through each mirror, a distance of at least two hundred feet to the rear of the vehicle.
 - (1) The following types of film sunscreening material are not permitted:
 - (A) Mirror finish products;
 - (B) Red, gold, yellow, or black material; or
 - (C) Film sunscreening material that is in liquid preapplication form and brushed or sprayed on.
 - (2) Nothing in this section prohibits the use of shaded or heat-absorbing safety glazing material in which the shading or heat-absorbing characteristics have been applied at the time of manufacture of the safety glazing material and which meet federal standards for the safety glazing materials.
- (b) It is a traffic infraction for any person to operate a vehicle for use on the public highways of this state, if the vehicle is equipped with film sunscreening or coloring material in violation of this section.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.440 Flares or Other Warning Devices Required on Certain Vehicles

(a) No person may operate any motor truck, passenger bus, truck tractor, motor home, or travel trailer over eighty inches in overall width upon any highway at any time unless there is carried in the vehicle the following equipment, except as provided in subsection (b) of this section:

(1) At least three flares or three red electric lanterns or three portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet under normal atmospheric conditions at nighttime.

No portable reflector unit may be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to be capable of reflecting red light clearly visible from all distances within six hundred feet to one hundred feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps;

(2) At least three red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried;

(3) At least two red-cloth flags, not less than twelve inches square, with standards to support the flags.

(b) No person may operate at the time and under conditions stated in subsection (a) of this section any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases or liquefied gases, or any motor vehicle using compressed gas as a fuel unless there is carried in the vehicle three red electric lanterns or three portable red emergency reflectors meeting the requirements of subsection (a) of this section, and there shall not be carried in any said vehicle any flares, fusees, or signal produced by flame.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.450 Disabled Vehicle - Display of Warning Devices

(a) Whenever any motor truck, passenger bus, truck tractor over eighty inches in overall width, trailer, semitrailer, or pole trailer is disabled upon the traveled portion of any highway, or the shoulder, at any time when lighted lamps are required on vehicles, the driver of the vehicle shall display the following warning devices during the time the vehicle is so disabled on the highway except as provided in subsection (b) of this section:

(1) A lighted fusee, a lighted red electric lantern, or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

(2) As soon thereafter as possible but in any event within the burning period of the fusee (fifteen minutes), the driver shall place three liquid-burning flares (pot torches), three lighted red electric lanterns, or three portable red emergency reflectors on the traveled portion of the highway in the following order:

(A) One, approximately one hundred feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane.

(B) One, approximately one hundred feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle.

(C) One at the traffic side of the disabled vehicle not less than ten feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with subdivision (1) of this subsection, it may be used for this purpose.

(b) Whenever any vehicle referred to in this section is disabled within five hundred feet of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than five hundred feet from the disabled vehicle.

(c) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in subsections (a) and (e) of this section shall be placed as follows:

One at a distance of approximately two hundred feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one at a distance of approximately one hundred feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; and one at the traffic side of the vehicle and approximately ten feet from the vehicle in the direction of the nearest approaching traffic.

(d) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof outside any municipality at any time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required, the driver of the vehicle shall display two red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one at a distance of approximately one hundred feet in advance of the vehicle, and one at a distance of approximately one hundred feet to the rear of the vehicle.

(e) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or

compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway of this state at any time or place mentioned in subsection (a) of this section, the driver of the vehicle shall immediately display the following warning devices: One red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle, and two red electric lanterns or portable red reflectors, one placed approximately one hundred feet to the front and one placed approximately one hundred feet to the rear of this disabled vehicle in the center of the traffic lane occupied by the vehicle. Flares, fusees, or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this subsection.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.460 Vehicles Transporting Explosives

Any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times

- (a) Be marked or placarded on each side and the rear with the word "Explosives" in letters not less than eight inches high, or there shall be displayed on the rear of the vehicle a red flag not less than twenty-four inches square marked with the word "danger" in white letters six inches high.
- (b) Be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.465 Fuel System

- (a) The fuel system shall be manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public. Fuel tanks shall be equipped with approved caps.
- (b) There shall be no signs of leakage from the carburetor or the fuel pump or the fuel hoses in the engine compartment or between the fuel tank and the engine compartment.
- (c) No person shall operate any motor vehicle upon the public highways unless the fuel tank is securely attached and so located that another vehicle would not be exposed to direct contact with the fuel tank in the event of a collision.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.467 Vehicle with Alternative Fuel Source

- (a) Every automobile, truck, motorcycle, motor home, or off-road vehicle fueled by an alternative fuel source shall bear a reflective placard issued by the national fire protection association indicating the vehicle is so fueled. Violation of this subsection is a traffic infraction.

- (b) As used in this section "alternative fuel source" includes propane, compressed natural gas, liquid petroleum gas, or any chemically similar gas but does not include gasoline or diesel fuel.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.480 Television Viewers - Earphones

- (a) No person shall drive any motor vehicle equipped with any television viewer, screen, or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle.
- (b) No person shall operate any motor vehicle on a public highway while wearing any headset or earphones connected to any electronic device capable of receiving a radio broadcast or playing a sound recording for the purpose of transmitting a sound to the human auditory senses.
- (c) This section does not apply to authorized emergency vehicles or to motorcyclists wearing a helmet with built-in headsets or earphones.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.490 Safety Load Chains and Devices Required

It is unlawful to operate any vehicle upon the public highways without having the load securely fastened and protected by safety chains or other devices. The chief of police shall determine what constitutes adequate and safe chains or other devices.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.500 Fenders or Splash Aprons

- (a) Except as authorized under subsection (b) of this section, no person may operate any motor vehicle, trailer, or semitrailer that is not equipped with fenders, covers, flaps, or splash aprons adequate for minimizing the spray or splash of water or mud from the roadway to the rear of the vehicle. All such devices shall be as wide as the tires behind which they are mounted and extend downward at least to the center of the axle.
- (b) A motor vehicle that is not less than forty years old and is owned and operated primarily as a collector's item need not be equipped with fenders when the vehicle is used and driven during fair weather on well-maintained, hard-surfaced roads.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.510 Seat Belts and Shoulder Harnesses

- (a) No person may sell any automobile manufactured or assembled after January 1, 1964, unless the automobile is equipped with seat belts installed for use on the front seats.
- (b) Every passenger car manufactured or assembled after January 1, 1965, shall be equipped with at least two lap-type safety belt assemblies for the front seating positions.
- (c) Every passenger car manufactured or assembled after January 1, 1968, except police vehicles, shall be equipped with a lap-type safety belt assembly for each permanent passenger seating position.
- (d) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with at least two shoulder harness-type safety belt assemblies for the front seating positions.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.513 Bumpers

When any motor vehicle was originally equipped with bumpers or any other collision energy absorption or attenuation system, that system shall be maintained in good operational condition, and no person shall remove or disconnect, and no owner shall cause or knowingly permit the removal or disconnection of any part of that system except temporarily in order to make repairs, replacements, or adjustments.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.517 Body and Body Hardware

- (a) The body, fenders, and bumpers shall be maintained without protrusions which could be hazardous to pedestrians. In addition, the bumpers shall be so attached and maintained so as to not protrude beyond the original bumper line.
- (b) The hood, hood latches, hood fastenings, doors, and door latches shall be maintained in a condition sufficient to ensure proper working equal to that at the time of original vehicle manufacture.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.523 Motorcycles and Motor-Driven Cycles - Head lamps

- (a) Every motorcycle and motor-driven cycle shall be equipped with at least one lamp which shall comply with the requirements and limitations of this section.
- (b) Every head lamp upon every motorcycle and motor-driven cycle shall be located at a height of not more than fifty-four inches nor less than twenty-four inches from the center of the lamp to the ground.

- (c) Every motorcycle other than a motor-driven cycle shall be equipped with multiple-beam road-lighting equipment, which shall:
 - (1) Reveal persons and vehicles at a distance of at least three hundred feet ahead when the uppermost distribution of light is selected;
 - (2) Reveal persons and vehicles at a distance of at least one hundred fifty feet ahead when the lowermost distribution of light is selected, and on a straight, level road under any condition of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver.
- (d) Every motorcycle and motor-driven cycle shall have its head lamps and tail lamps lighted whenever the vehicle is in motion upon a highway.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.524 Motor-Driven Cycles - Head Lamps

The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows:

- (a) Every such head lamp or head lamps on a motor-driven cycle shall be of a sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred feet when the motor-driven cycle is operated at any speed less than twenty-five miles per hour and at a distance of not less than two hundred feet when the motor-driven cycle is operated at a speed of twenty-five or more miles per hour, and at a distance of not less than three hundred feet when the motor-driven cycle is operated at a speed of thirty-five or more miles per hour;
- (b) In the event the motor-driven cycle is equipped with a multiple-beam head lamp or head lamps the upper beam shall meet the minimum requirements set forth for upper beam lights, and the lower beam shall meet the requirements applicable to a lower distribution of light;
- (c) In the event the motor-driven cycle is equipped with a single-beam lamp or lamps, the lamp or lamps shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of twenty-five feet ahead, shall project higher than the level of the center of the lamp from which it comes.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.525 Motorcycles and Motor-Driven Cycles - Tail Lamps, Reflectors, and Stop Lamps

- (a) Every motorcycle and motor-driven cycle shall have at least one tail lamp which shall be located at a height of not more than seventy-two nor less than fifteen inches.

- (b) Either a tail lamp or a separate lamp shall 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 to the rear. The tail lamp or tail lamps, and any separate lamp or lamps for illuminating the rear registration plate, shall be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.
- (c) Every motorcycle and motor-driven cycle shall carry on the rear, either as part of the tail lamp or separately, at least one red reflector.
- (d) Every motorcycle and motor-driven cycle shall be equipped with at least one stop lamp.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.527 Motorcycles and Motor-Driven Cycles - Brake Requirements

- (a) Motorcycles and motor-driven cycles need not be equipped with parking brakes;
- (b) Motorcycles shall be equipped with brakes operating on both the front and rear wheels unless the vehicle was originally manufactured without both front and rear brakes. A front brake shall not be required on any motorcycle over twenty-five years old which was originally manufactured without a front brake and which has been restored to its original condition and is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show or other such assemblage, and no front brake shall be required on any motorcycle manufactured prior to January 1, 1931.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.528 Motorcycles and Motor-Driven Cycles - Performance Ability of Brakes

Every motorcycle and motor-driven cycle, at all times and under all conditions of loading, upon application of the service brake, shall be capable of:

- (a) Decelerating to a stop from not more than twenty miles per hour at not less than fourteen feet per second per second; and
- (b) Stopping from a speed of twenty miles per hour in not more than thirty feet, the distance to be measured from the point at which movement of the service brake pedal or control begins.

Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus one percent grade), dry, smooth, hard surface free from loose material.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.530 Motorcycles, Motor-Driven Cycles, or Mopeds - Helmets, Other Equipment - Children - Rules

(a) It is unlawful for any person to:

- (1) Operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle. Mirrors are not required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage. No mirror is required on any motorcycle manufactured prior to January 1, 1931;
- (2) Operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing safety glasses, goggles, or a face shield;
- (3) Operate or ride upon a motorcycle, motor-driven cycle, or moped on a public highway, unless wearing upon his or her head a protective helmet of a type conforming to federal rules except when the vehicle is an antique motor-driven cycle or automobile that is licensed as a motorcycle. The helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle or motor-driven cycle is in motion;
- (4) Transport a child under the age of five on a motorcycle or motor-driven cycle;
- (5) Sell or offer for sale a motorcycle helmet which does not meet the federal requirements.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.537 Motorcycles - Exhaust System

No person shall modify the exhaust system of a motorcycle in a manner which will amplify or increase the noise emitted by the engine of the vehicle above that emitted by the muffler originally installed on the vehicle. It is unlawful to operate a motorcycle not equipped as required by this section or which has been amplified as prohibited by this section.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.539 Motorcycles and Motor-Driven Cycles - Additional Requirements and Limitations

Every motorcycle and every motor-driven cycle shall also comply with the requirements and limitations concerning horns and warning devices, mufflers and prevention of noise, mirrors, and tires.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.540 Odometers - Disconnecting, Resetting, or Turning Back Prohibited

It is unlawful for any person to disconnect, turn back, or reset the odometer of any motor vehicle with the intent to reduce the number of miles indicated on the odometer gauge.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.550 Odometers - Selling Motor Vehicle Knowing Odometer Turned Back Unlawful

It is unlawful for any person to sell a motor vehicle if the person has knowledge that the odometer on the motor vehicle has been turned back and if the person fails to notify the buyer, prior to the time of sale, that the odometer has been, or he had reason to believe the odometer has been turned back.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.560 Odometers - Selling Motor Vehicle Knowing Odometer Replaced Unlawful

It is unlawful for any person to sell a motor vehicle if that person has knowledge the odometer on the motor vehicle has been replaced with another odometer and fails to notify the buyer, prior to the time of sale, that the odometer has been, or he believes the odometer has been replaced.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.570 Odometers - Selling, Advertising, Using, or Installing Device which Causes Other than True Mileage to be Registered

It is unlawful for any person to advertise for sale, to sell, to use, or to install on any part of a motor vehicle or on an odometer in a motor vehicle any device which causes the odometer to register any mileage other than the true mileage driven. For the purposes of this section the true mileage driven is that driven by the car as registered by the odometer within the manufacturer's designed tolerance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.590 Odometers - Purchaser Plaintiff to Recover Costs and Attorney's Fee, When

In any suit brought by the purchaser of a motor vehicle against the seller of a vehicle, the purchaser shall be entitled to recover his court costs and a reasonable attorney's fee fixed by the court, if:

- (a) The suit or claim is based substantially upon the purchaser's allegation that the odometer on the vehicle has been tampered with or replaced contrary to this Ordinance; and

- (b) It is found in the suit that the seller of the vehicle or any of his employees or agents knew or had reason to know the odometer on the vehicle had been tampered with or replaced and failed to disclose this knowledge to the purchaser prior to the time of sale.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.600 Liability of Operator, Owner, Lessee for Violations

Whenever an act or omission is declared to be unlawful in this chapter, if the operator of the vehicle is not the owner or lessee of the vehicle, but is so operating or moving the vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner or lessee are both subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, the person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.37.620 School Buses - Crossing Arms

Every school bus shall, in addition to any other equipment required by this chapter, be equipped with a crossing arm mounted to the bus that, when extended, will require students who are crossing in front of the bus to walk more than five feet from the front of the bus.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

Legislative History prior to July 5, 2017

+Adopted by Resolution No. 95-80 (August 16, 1995)
Amended by Resolution No. 99-98 (November 4, 1999)
+Amended by Resolution No. 04-111 (September 8, 2004)
Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives