

**CIVIL TRAFFIC ORDINANCE  
RULES OF THE ROAD**

**TABLE OF CONTENTS**

**OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS**

- 8.61.005 Chapter Refers to Vehicles Upon Highways - Exceptions
- 8.61.015 Obedience to Police Officers, Flagmen, or Fire Fighters
- 8.61.022 Failure to Obey Officer - Penalty
- 8.61.025 Persons Riding Animals or Driving Animal-Drawn Vehicles
- 8.61.030 Persons Working on Highway Right of Way - Exceptions
- 8.61.035 Authorized Emergency Vehicles

**TRAFFIC SIGNS, SIGNALS, AND MARKINGS**

- 8.61.050 Obedience to and Required Traffic Control Devices
- 8.61.075 Display of Unauthorized Signs, Signals, or Markings
- 8.61.080 Interference with Official Traffic-Control Devices, Signs or Signals

**DRIVING ON RIGHT SIDE OF ROADWAY--OVERTAKING AND PASSING--USE OF ROADWAY**

- 8.61.100 Keep Right Except When Passing, etc.
- 8.61.105 Passing Vehicles Proceeding in Opposite Directions
- 8.61.110 Overtaking a Vehicle on the Left
- 8.61.115 When Overtaking on the Right is Permitted
- 8.61.120 Limitations on Overtaking on the Left
- 8.61.125 Further Limitations on Driving to Left of Center of Roadway
- 8.61.130 No-passing Zones
- 8.61.135 One-way Roadways and Rotary Traffic Islands
- 8.61.140 Driving on Roadways Laned for Traffic
- 8.61.145 Following too Closely

**RIGHT OF WAY**

- 8.61.180 Vehicle Approaching Intersection
- 8.61.185 Vehicle Turning Left
- 8.61.190 Vehicle Entering Stop or Yield Intersection
- 8.61.195 Arterial Highways Designated - Stopping on Entering
- 8.61.200 Stop Intersections Other than Arterial May Be Designated
- 8.61.202 Stopping When Traffic Obstructed
- 8.61.205 Vehicle Entering Highway from Private Road or Driveway
- 8.61.210 Operation of Vehicles on Approach of Authorized Emergency Vehicles
- 8.61.215 Highway Construction and Maintenance
- 8.61.220 Transit Vehicles

**PEDESTRIANS' RIGHTS AND DUTIES**

- 8.61.230 Pedestrians Subject to Traffic Regulations

- 8.61.235 Stopping for Pedestrians in Crosswalks
- 8.61.240 Crossing at Other than Crosswalks
- 8.61.245 Drivers to Exercise Care
- 8.61.250 Pedestrians on Roadways
- 8.61.255 Pedestrians Soliciting Rides or Business
- 8.61.261 Pedestrians' Right of Way on Sidewalk
- 8.61.264 Pedestrians Yield to Emergency Vehicles
- 8.61.266 Pedestrians Under the Influence of Alcohol or Drugs

#### **TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING**

- 8.61.290 Required Position and Method of Turning at Intersections.
- 8.61.295 "U" Turns
- 8.61.300 Starting Parked Vehicle
- 8.61.305 Turning, Stopping, Moving Right or Left - Signals Required - Improper Use Prohibited
- 8.61.310 Signals by Hand and Arm or Signal Lamps
- 8.61.315 Method of Giving Hand and Arm Signals

#### **SPECIAL STOPS REQUIRED**

- 8.61.365 Emerging from Alley, Driveway, or Building
- 8.61.370 Overtaking or Meeting School Bus - Duties of Bus Driver
- 8.61.371 Violators of School Bus Stop Sign Laws - Identification by Vehicle Owner
- 8.61.372 Violators of School Bus Stop Sign Laws - Report by Bus Driver - Law Enforcement Investigation
- 8.61.375 Overtaking or Meeting Private Carrier Bus - Duties of Bus Driver

#### **SPEED RESTRICTIONS**

- 8.61.400 Basic rule and maximum limits
- 8.61.425 Minimum speed regulation - Passing slow moving vehicle
- 8.61.427 Slow moving vehicle to pull off roadway
- 8.61.440 Maximum speed limit when passing school or playground crosswalks
- 8.61.445 Due care required
- 8.61.455 Vehicles with solid or hollow cushion tires
- 8.61.460 Special speed limitation on motor-driven cycle
- 8.61.465 Exceeding speed limit evidence of reckless driving
- 8.61.470 Speed traps defined, certain types permitted - Measured courses, speed measuring devices, timing from aircraft.

#### **ALCOHOL AND RECKLESS RELATED**

- 8.61.519 Alcoholic Beverages - Drinking or Open Container in Vehicle on Highway - Exceptions
- 8.61.5195 Disguising Alcoholic Beverage Container
- 8.61.525 Operating Motor Vehicle in a Negligent Manner - Penalty - Exception
- 8.61.527 Roadway Construction Zones
- 8.61.530 Racing of Vehicles on Highways - Reckless Driving - Exception

## **STOPPING, STANDING, AND PARKING**

- 8.61.560 Stopping, Standing, or Parking Outside Business or Residence Districts**
- 8.61.570 Stopping, Standing, or Parking Prohibited in Specified Places - Reserving Portion of Highway Prohibited**
- 8.61.575 Additional Parking Regulations**
- 8.61.590 Unattended Motor Vehicle - Removal from Highway**

## **MISCELLANEOUS RULES**

- 8.61.600 Unattended Motor Vehicle**
- 8.61.605 Limitations on Backing**
- 8.61.606 Driving on Sidewalk Prohibited - Exception**
- 8.61.608 Operating Motorcycles on Roadways Laned for Traffic**
- 8.61.610 Riding on Motorcycles**
- 8.61.611 Motorcycles - Maximum Height for Handlebars**
- 8.61.612 Riding on Motorcycles - Both Feet not to Be on Same Side**
- 8.61.613 Motorcycles - Temporary Suspension of Restrictions for Parades or Public Demonstrations**
- 8.61.614 Riding on Motorcycles - Clinging to Other Vehicles**
- 8.61.615 Obstructions to Driver's View or Driving Mechanism**
- 8.61.620 Opening and Closing Vehicle Doors**
- 8.61.625 Riding in Trailers**
- 8.61.630 Coasting Prohibited**
- 8.61.635 Following Fire Apparatus Prohibited**
- 8.61.640 Crossing Fire Hose**
- 8.61.645 Throwing Dangerous Materials on Highway Prohibited - Removal**
- 8.61.655 Dropping Load, Other Materials - Covering**
- 8.61.660 Carrying Persons or Animals on Outside Part of Vehicle**
- 8.61.665 Embracing Another While Driving**
- 8.61.670 Driving with Wheels off Roadway**
- 8.61.675 Causing or Permitting Vehicle to be Unlawfully Operated**
- 8.61.680 Lowering Passenger Motor Vehicle below Legal Clearance - Penalty**
- 8.61.685 Leaving Children Unattended in Standing Vehicle with Motor Running - Penalty**
- 8.61.687 Child Passenger Restraint Required - Conditions - Exceptions - Penalty for Violation - Dismissal - Noncompliance not Negligence**
- 8.61.688 Safety Belts, Use Required - Penalties - Exemptions**
- 8.61.700 Parent or Guardian Shall Not Authorize or Permit Violation by a Child or Ward**
- 8.61.710 Mopeds - General Requirements and Operation**
- 8.61.720 Mopeds - Safety Standards**
- 8.61.730 Wheelchair Conveyances**

## **OPERATION OF NONMOTORIZED VEHICLES**

- 8.61.750 Effect of Regulations - Penalty**
- 8.61.755 Traffic Laws Apply to Persons Riding Bicycles**

<b>8.61.758</b>	<b>Hand Signals</b>
<b>8.61.760</b>	<b>Riding on Bicycles</b>
<b>8.61.765</b>	<b>Clinging to Vehicles</b>
<b>8.61.770</b>	<b>Riding on Roadways and Bicycle Paths</b>
<b>8.61.775</b>	<b>Carrying Articles</b>
<b>8.61.780</b>	<b>Lamps and Other Equipment on Bicycles</b>

### **OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS**

#### **8.61.005 Chapter Refers to Vehicles Upon Highways - Exceptions**

The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

- (a) Where a different place is specifically referred to in a given section.
- (b) The provisions of 8.52.010 through 8.52.090 and 8.61.5195 through 8.61.525 apply upon highways and elsewhere throughout the Skokomish Indian Reservation.

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

#### **8.61.015 Obedience to Police Officers, Flagmen, or Fire Fighters.**

No person shall willfully fail or refuse to comply with any lawful order or direction of any duly authorized flagman or any police officer or fire fighter invested by law with authority to direct, control, or regulate traffic.

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

#### **8.61.022 Failure to Obey Officer - Penalty**

Any person who willfully fails to stop when requested or signaled to do so by a person reasonably identifiable as a law enforcement officer is guilty of a class C criminal violation.

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

#### **8.61.025 Persons Riding Animals or Driving Animal-Drawn Vehicles**

Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter except those provisions of this chapter which by their very nature can have no application.

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

#### **8.61.030 Persons Working on Highway Right of Way - Exceptions**

Unless specifically made applicable, the provisions of this chapter shall not apply to persons, motor vehicles and other equipment while legitimately engaged in work within

the right of way of any highway but shall apply to these persons and vehicles when traveling to or from such work.

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

#### **8.61.035 Authorized Emergency Vehicles**

- (a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated.
- (b) The driver of an authorized emergency vehicle may:
  - (1) Park or stand, irrespective of the provisions of this chapter;
  - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  - (3) Exceed the maximum speed limits so long as he does not endanger life or property;
  - (4) Disregard regulations governing direction of movement or turning in specified directions.
- (c) The exemptions granted to an authorized emergency vehicle shall apply only when the vehicle is making use of visual signals, except that:
  - (1) An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle;
  - (2) authorized emergency vehicles shall use audible signals when necessary to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.
- (d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall these provisions protect the driver from the consequences of his reckless disregard for the safety of others.

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

### **TRAFFIC SIGNS, SIGNALS, AND MARKINGS**

#### **8.61.050 Obedience to and Required Traffic Control Devices.**

- (a) The driver of any vehicle, every bicyclist, and every pedestrian shall obey the instructions of any applicable official traffic control device placed in

accordance with the provisions of this chapter, unless otherwise directed by a police officer, subject to the exception granted the driver of an authorized emergency vehicle in this chapter.

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

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

#### **8.61.075      Display of Unauthorized Signs, Signals, or Markings.**

- (a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device, sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic-control device or any sign or signal.
- (b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.
- (c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (d) Every prohibited sign, signal or marking is hereby declared to be a public nuisance and the Skokomish Department of Public Safety is hereby empowered to remove the same or cause it to be removed without notice.

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

#### **8.61.080 Interference with Official Traffic-Control Devices Signs or Signals.**

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any sign or signal or any inscription, shield or insignia, or any other part.

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

### **DRIVING ON RIGHT SIDE OF ROADWAY - OVERTAKING AND PASSING - USE OF ROADWAY**

#### **8.61.100 Keep Right Except When Passing, Etc.**

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

- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (b) When an obstruction exists making it necessary to drive to the left of the center of the highway; provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;
- (c) Upon a roadway divided into three marked lanes and providing for two-way movement traffic under the rules applicable thereon; or
- (d) Upon a street or highway restricted to one-way traffic.

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

#### **8.61.105 Passing Vehicles Proceeding in Opposite Directions**

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

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

#### **8.61.110 Overtaking a Vehicle on the Left**

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereafter stated:

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

- (b) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

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

#### **8.61.115 When Overtaking on the Right is Permitted**

- (a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
  - (1) When the vehicle overtaken is making or about to make a left turn;
  - (2) Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
- (b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting the movement in safety. The movement shall not be made by driving off the roadway.

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

#### **8.61.120 Limitations on Overtaking on the Left**

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by this chapter and unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

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

#### **8.61.125 Further Limitations on Driving to Left of Center of Roadway**

- (a) No vehicle shall be driven on the left side of the roadway under the following conditions:
  - (1) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
  - (2) When the view is obstructed upon approaching within one hundred feet of any bridge or viaduct.

- (b) The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in 8.61.100(b), nor to the driver of a vehicle turning left into or from an alley, private road or driveway.

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

#### **8.61.130 No-passing zones**

- (a) The appropriate Tribal or state authorities shall determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of the zones. When the signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey their directions.
- (b) Where signs or markings are in place to define a no-passing zone as set forth in subsection (a), no driver may at any time drive on the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark the no-passing zone throughout its length.
- (c) This section does not apply under the conditions described in 8.61.100(b) nor to the driver of a vehicle turning left into or from an alley, private road, or driveway.

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

#### **8.61.135 One-Way Roadways and Rotary Traffic Islands**

- (a) The Skokomish Tribal Council may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction as indicated by official traffic control devices.
- (b) Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the direction designated as is indicated by official traffic control devices.

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

#### **8.61.140 Driving on Roadways Laned for Traffic**

Whenever any roadway has been divided into two or more clearly marked lanes for traffic the following rules, consistent with all others, shall apply:

- (a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from that lane until the driver has first determined that the movement can be made with safety.
- (b) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except in

preparation for making a left turn and the allocation shall be designated by official traffic-control devices.

- (c) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device.

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

#### **8.61.145      Following too Closely**

- (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon and the condition of the highway.
- (b) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy the space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.
- (c) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between the vehicles or combination of vehicles so as to enable any other vehicle to enter and occupy the space without danger. This provision shall not apply to funeral processions.

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

### **RIGHT OF WAY**

#### **8.61.180      Vehicle Approaching Intersection**

- (a) When two vehicles approach or enter an intersection from different highways 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.
- (b) The right of way rule declared in subsection (a) of this section is modified at arterial highways and otherwise as stated in this chapter.

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

#### **8.61.185      Vehicle Turning Left**

The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close as to constitute an immediate hazard.

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

#### **8.61.190 Vehicle Entering Stop or Yield Intersection**

- (a) Preferential right of way may be indicated by stop signs or yield signs as authorized.
- (b) Except when directed to proceed by a duly authorized flagman, police officer, or fire fighter vested by law with authority to direct, control, or regulate traffic, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering a marked crosswalk on the near side of the intersection or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, and after having stopped shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when the driver is moving across or within the intersection or junction of roadways.
- (c) The driver of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering a marked crosswalk on the near side of the intersection or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, and then after slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways. If a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, the collision is deemed prima facie evidence of his failure to yield right of way.

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

#### **8.61.195 Arterial Highways Designated - Stopping on Entering.**

All state highways are arterial highways as respects all other public highways or private ways.

The operator of any vehicle entering upon any arterial highway from any other public highway or private way shall come to a complete stop before entering the arterial highway when stop signs are erected as provided by law.

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

#### **8.61.200 Stop Intersections Other Than Arterial May Be Designated.**

In addition to the points of intersection of any public highway with any arterial public highway the Skokomish Tribal Council has the power to determine and designate any

particular intersection, or any particular highways, roads, or streets or portions thereof, at any intersection with which vehicles shall be required to stop before entering the intersection. Upon the determination and designation of the points at which vehicles will be required to come to a stop before entering the intersection, proper signs of the standard design shall be posted and maintained indicating that the intersection has been so determined and designated and that vehicles entering it are required to stop. It is unlawful for any person operating any vehicle when entering any intersection determined, designated, and bearing the required sign to fail and neglect to bring the vehicle to a complete stop before entering the intersection.

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

#### **8.61.202 Stopping When Traffic Obstructed**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control signal indications to proceed.

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

#### **8.61.205 Vehicle Entering Highway From Private Road or Driveway**

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles lawfully approaching on the highway.

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

#### **8.61.210 Operation of Vehicles on Approach of Authorized Emergency Vehicles**

- (a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- (b) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

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

#### **8.61.215 Highway Construction and Maintenance.**

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

- (b) The driver of a vehicle shall yield the right of way to any authorized vehicle obviously and actually engaged in work upon a highway whenever the vehicle displays flashing amber lights.

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

#### **8.61.220 Transit Vehicles**

- (a) The driver of a vehicle shall yield the right of way to a transit vehicle traveling in the same direction that has signaled and is reentering the traffic flow.
- (b) Nothing in this section shall operate to relieve the driver of a transit vehicle from the duty to drive with due regard for the safety of all persons using the roadway.

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

### **PEDESTRIANS' RIGHTS AND DUTIES**

#### **8.61.230 Pedestrians Subject to Traffic Regulations**

Pedestrians are subject to traffic-control signs and signals at intersections as provided in this chapter, and at all other places pedestrians shall be accorded the privileges and are subject to the restrictions stated in this chapter.

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

#### **8.61.235 Stopping for Pedestrians in Crosswalks**

- (a) The operator of an approaching vehicle shall stop and remain stopped to allow a pedestrian to cross the roadway within an unmarked or marked crosswalk when the pedestrian is upon or within one lane of the half of the roadway upon which the vehicle is traveling or onto which it is turning. For purposes of this section "half of the roadway" means all traffic lanes carrying traffic in one direction of travel, and includes the entire width of a one-way roadway.
- (b) No pedestrian shall suddenly leave a curb or other place of safety and walk, run, or otherwise move into the path of a vehicle which is so close that it is impossible for the driver to stop.
- (c) Subsection (a) of this section does not apply under the conditions stated in 8.61.240(b).
- (d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

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

#### **8.61.240 Crossing at Other Than Crosswalks**

- (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.
- (b) Where curb ramps exist at or adjacent to intersections or at marked crosswalks in other locations, disabled persons may enter the roadway from the curb ramps and cross the roadway within or as closely as practicable to the crosswalk. All other pedestrian rights and duties as defined elsewhere in this chapter remain applicable.
- (c) No pedestrian shall cross a roadway at an unmarked crosswalk where an official sign prohibits the crossing.

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

#### **8.61.245 Drivers to Exercise Care**

Notwithstanding the foregoing provisions of this chapter every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

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

#### **8.61.250 Pedestrians on Roadways**

- (a) Where sidewalks are provided it is unlawful for any pedestrian to walk or otherwise move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, disabled persons who require such access may walk or otherwise move along and upon an adjacent roadway until they reach an access point in the sidewalk.
- (b) Where sidewalks are not provided any pedestrian walking or otherwise moving along and upon a highway shall, when practicable, walk or move only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and upon meeting an oncoming vehicle shall move clear of the roadway.

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

#### **8.61.255 Pedestrians Soliciting Rides or Business**

- (a) No person shall stand in, on, or alongside a public roadway at any place where a motor vehicle cannot safely stop off the main traveled portion for the purpose of soliciting a ride for himself or for another from the occupant of any vehicle.

- (b) The provisions of subsection (a) above shall not be construed to prevent a person upon a public highway from soliciting, or a driver of a vehicle from giving a ride where an emergency actually exists, nor to prevent a person from signaling or requesting transportation from a passenger carrier for the purpose of becoming a passenger thereon for hire.
- (c) No person shall stand in a roadway for the purpose of soliciting employment or business from the occupant of any vehicle.
- (d) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

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

#### **8.61.261 Pedestrians' Right of Way on Sidewalk**

The driver of a vehicle shall yield the right of way to any pedestrian on a sidewalk.

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

#### **8.61.264 Pedestrians Yield to Emergency Vehicles**

- (a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or of a police vehicle making use of an audible signal, every pedestrian shall yield the right of way to the authorized emergency vehicle.
- (b) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

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

#### **8.61.266 Pedestrians Under the Influence of Alcohol or Drugs**

A law enforcement officer may offer to transport a pedestrian who appears to be under the influence of alcohol or any drug and who is walking or moving along or within the right of way of a public roadway, unless the pedestrian is to be taken into protective custody.

The law enforcement officer offering to transport an intoxicated pedestrian under this section shall:

- (a) Transport the intoxicated pedestrian to a safe place; or
- (b) Release the intoxicated pedestrian to a competent person.

The law enforcement officer shall take no action if the pedestrian refuses this assistance. No suit or action may be commenced or prosecuted against the law enforcement officer

or law enforcement agency for any act resulting from the refusal of the pedestrian to accept this assistance.

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

## **TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING**

### **8.61.290 Required Position and Method of Turning at Intersections**

The driver of a vehicle intending to turn shall do so as follows:

- (a) Right Turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
- (b) Left Turns. The driver of a vehicle intending to turn left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle. Whenever practicable the left turn shall be made to the left of the center of the intersection and so as to leave the intersection or other location in the extreme left-hand lane lawfully available to traffic moving in the same direction as the vehicle on the roadway being entered.
- (c) Two-Way Left Turn Lanes
  - (1) The Skokomish Tribal Council or agency of jurisdiction may designate a two-way left turn lane on a roadway. A two-way left turn lane is near the center of the roadway set aside for use by vehicles making left turns in either direction from or into the roadway.
  - (2) Two-way left turn lanes shall be designated by distinctive uniform roadway markings.
  - (3) Upon a roadway where a center lane has been provided by distinctive pavement markings for the use of vehicles turning left from either direction, no vehicles may turn left from any other lane. A vehicle shall not be driven in this center lane for the purpose of overtaking or passing another vehicle proceeding in the same direction. A signal, either electric or manual, for indicating a left turn movement, shall be made at least one hundred feet before the actual left turn movement is made.

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

### **8.61.295 "U" Turns**

- (a) The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction unless the movement can be made in safety and without interfering with other traffic.
- (b) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where the vehicle

cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.

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

#### **8.61.300 Starting Parked Vehicle**

No person shall start a vehicle which is stopped, standing or parked unless and until the movement can be made with reasonable safety.

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

#### **8.61.305 Turning, Stopping, Moving Right or Left - Signals Required - Improper Use Prohibited**

- (a) No person shall turn a vehicle or move right or left upon a roadway unless and until the movement can be made with reasonable safety nor without giving an appropriate signal in the manner provided.
- (b) A signal of intention to turn or move right or left when required shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning.
- (c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give a signal.
- (d) The signals provided for shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

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

#### **8.61.310 Signals by Hand and Arm or Signal Lamps**

- (a) Any stop or turn signal when required shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection (b).
- (b) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of the motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load exceeds fourteen feet. The latter measurements shall apply to any single vehicle, also to any combination of vehicles.

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

### **8.61.315 Method of Giving Hand and Arm Signals**

All required signals given by hand and arm shall be given from the left side of the vehicle in the following manner and the signals shall indicate as follows:

- (a) Left turn. Hand and arm extended horizontally.
- (b) Right turn. Hand and arm extended upward.
- (c) Stop or decrease speed. Hand and arm extended downward.

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

### **SPECIAL STOPS REQUIRED**

### **8.61.365 Emerging From Alley, Driveway, or Building**

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

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

### **8.61.370 Overtaking or Meeting School Bus - Duties of Bus Driver**

- (a) The driver of a vehicle upon overtaking or meeting from either direction any school bus which has stopped on the roadway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching the school bus when there is in operation on the school bus a visual signal, and the driver shall not proceed until the school bus resumes motion or the visual signals are no longer activated.
- (b) The driver of a vehicle upon a highway with three or more marked traffic lanes need not stop upon meeting a school bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging school children.
- (c) The driver of a school bus shall actuate the visual signals only when the bus is stopped on the roadway for the purpose of receiving or discharging school children.
- (d) The driver of a school bus may stop completely off the roadway for the purpose of receiving or discharging school children only when the school children do not have to cross the roadway. The school bus driver shall actuate the hazard warning lamps before loading or unloading school children at such stops.

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

**8.61.371 Violators of School Bus Stop Sign Laws - Identification by Vehicle Owner**

If a law enforcement officer investigating a violation of 8.61.370 has reasonable cause to believe that a violation has occurred, the officer may request the owner of the motor vehicle to supply information identifying the driver of the vehicle at the time the violation occurred. When requested, the owner of the motor vehicle shall identify the driver to the best of the owner's ability. The owner of the vehicle is not required to supply identification information to the law enforcement officer if the owner believes the information is self-incriminating.

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

**8.61.372 Violators of School Bus Stop Sign Laws - Report by Bus Driver - Law Enforcement Investigation**

- (a) The driver of a school bus who observes a violation of 8.61.370 may prepare a written report on a form provided by the Washington State Patrol indicating that a violation has occurred. The driver of the school bus or a school official may deliver the report to the Skokomish Department of Public Safety, not more than seventy-two hours after the violation occurred. The driver shall include in the report the time and location at which the violation occurred, the vehicle license plate number, and a description of the vehicle involved in the violation.
- (b) The law enforcement officer shall initiate an investigation of the reported violation within ten working days after receiving the report described in subsection (a) of this section by contacting the owner of the motor vehicle involved in the reported violation and requesting the owner to supply information identifying the driver. Failure to investigate within the ten working day period does not prohibit further investigation or prosecution. If, after an investigation, the law enforcement officer is able to identify the driver and has reasonable cause to believe a violation of 8.61.370 has occurred, the law enforcement officer shall prepare a notice of traffic infraction and have it served upon the driver of the vehicle.

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

**8.61.375 Overtaking or Meeting Private Carrier Bus - Duties of Bus Driver**

- (a) The driver of a vehicle upon overtaking or meeting from either direction any private carrier bus which has stopped on the roadway for the purpose of receiving or discharging any passenger shall stop the vehicle before reaching the private carrier bus when there is in operation on said bus a visual signal and the driver shall not proceed until the bus resumes motion or the visual signals are no longer activated.
- (b) The driver of a vehicle upon a highway with three or more lanes need not stop upon meeting a private carrier bus which is proceeding in the opposite

direction and is stopped for the purpose of receiving or discharging passengers.

- (c) The driver of a private carrier bus shall actuate the required visual signals only when the bus is stopped on the roadway for the purpose of receiving or discharging passengers.
- (d) The driver of a private carrier bus may stop a private carrier bus completely off the roadway for the purpose of receiving or discharging passengers only when the passengers do not have to cross the roadway. The private carrier bus driver shall actuate the hazard warning lamps before loading or unloading passengers at such stops.

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

### **SPEED RESTRICTIONS**

#### **8.61.400 Basic Rule and Maximum Limits**

- (a) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- (b) Except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of the maximum limits.
  - (1) Fifteen miles per hour in residential courts and on unpaved roads
  - (2) Twenty-five miles per hour on paved streets;
  - (3) Fifty-five miles per hour on state highways.

The maximum speed limits set forth in this section may be altered by the Tribal Council.

- (c) The driver of every vehicle shall, consistent with the requirements of subsection (a) of this section, drive at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

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

#### **8.61.425 Minimum Speed Regulation - Passing Slow-Moving Vehicle**

No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. A person following a vehicle driving at less than the legal maximum speed and desiring to pass the vehicle may exceed the speed limit on highways having only one lane of traffic in each direction, at only such a speed and for only such a distance as is necessary to complete the pass with a reasonable margin of safety.

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

#### **8.61.427 Slow-Moving Vehicle to Pull Off Roadway**

On a two-lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow moving vehicle, behind which five or more vehicles are formed in a line, shall turn off the roadway wherever sufficient area for a safe turn-out exists, in order to permit the vehicles following to proceed. As used in this section a slow moving vehicle is one which is proceeding at a rate of speed less than the normal flow of traffic at the particular time and place.

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

#### **8.61.440 Maximum Speed Limit When Passing School or Playground Crosswalks**

It is unlawful for the operator of any vehicle to operate the same at a speed in excess of twenty miles per hour upon a highway when passing any marked school or playground zone when the marked school or playground zone is fully posted with standard school speed limit signs or standard playground speed limit signs.

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

#### **8.61.445 Due Care Required**

Compliance with speed requirements of this chapter shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

#### **8.61.455 Vehicles With Solid or Hollow Cushion Tires**

Except for vehicles equipped with temporary-use spare tires that meet federal standards, it is unlawful to operate any vehicle equipped or partly equipped with solid rubber tires or hollow center cushion tires, or to operate any combination of vehicles any part of which is equipped or partly equipped with solid rubber tires or hollow center cushion tires, so long as solid rubber tires or hollow center cushion tires may be used under the provisions of this title, upon any public highway at a greater rate of speed than ten miles per hour, provided the temporary-use spare tires are installed and used in accordance with the manufacturer's instructions.

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

#### **8.61.460 Special Speed Limitation on Motor-Driven Cycle**

No person shall operate any motor-driven cycle during the time that lights are required at a speed greater than thirty-five miles per hour unless the motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet ahead.

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

#### **8.61.465 Reckless Driving – Exceeding Speed Limit Evidence of**

It is an infraction for any person to operate any motor vehicle within the territorial jurisdiction of the Skokomish Indian Tribe in a manner which causes damage to any person or property, or in a manner which endangers or is likely to endanger any person or property.

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

The unlawful operation of a vehicle in excess of the maximum lawful speeds provided in this chapter at the point of operation and under the circumstances described shall be prima facie evidence of the operation of a motor vehicle in a reckless manner.

#### **8.61.470 Charging Violations of Speed Regulations**

In every charge of violation of any speed regulation in this chapter the complaint, the summons, or notice to appear, shall specify the approximate speed at which the defendant is alleged to have driven, and the maximum speed applicable at the location.

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

### **ALCOHOL AND RECKLESS RELATED**

#### **8.61.519 Alcoholic Beverages - Drinking or Open Container in Vehicle on Highway - Exceptions**

- (a) It is a traffic infraction to drink any alcoholic beverage in a motor vehicle when the vehicle is upon a highway.
- (b) It is a traffic infraction for a person to have in his possession while in a motor vehicle upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage if the container has been opened or a seal broken or the contents partially removed.
- (c) It is a traffic infraction for the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage which has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers

if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

- (d) This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or, to any passenger for compensation in a for-hire vehicle licensed under city, county, or state law, or to a privately-owned vehicle operated by a person possessing a valid operator's license endorsed for the appropriate classification in the course of his usual employment transporting passengers at the employer's direction. Nothing in this subsection shall be construed to authorize possession or consumption of an alcoholic beverage by the operator of any vehicle while upon a highway.

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

#### **8.61.5195      Disguising Alcoholic Beverage Container**

- (a) It is a traffic infraction to incorrectly label the original container of an alcoholic beverage and to then violate 8.61.519.
- (b) It is a traffic infraction to place an alcoholic beverage in a container specifically labeled by the manufacturer of the container as containing a nonalcoholic beverage and to then violate 8.61.519.

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

#### **8.61.525      Operating Motor Vehicle in a Negligent Manner - Penalty - Exception**

It is unlawful for any person to operate a motor vehicle in a negligent manner. For the purpose of this section to "operate in a negligent manner" means the operation of a vehicle in such a manner as to endanger or be likely to endanger any persons or property. Any person operating a motor vehicle on private property with the consent of the owner in a manner consistent with the owner's consent shall not be guilty of negligent driving.

The offense of operating a vehicle in a negligent manner is considered to be a lesser offense than, but included in, the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be found to have committed the lesser offense of operating a vehicle in a negligent manner. Any person violating the provisions of this section is guilty of a civil infraction and a class C criminal offense.

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

#### **8.61.527      Roadway Construction Zones**

- (a) A roadway construction zone is an area where construction, repair, or maintenance work is being conducted by public employees or private contractors, on or adjacent to any public roadway.
- (b) No person may drive a vehicle in a roadway construction zone at a speed greater than that allowed by traffic control devices.

- (c) A person found to have committed any infraction relating to speed restrictions in a roadway construction zone shall be assessed a monetary penalty equal to twice the penalty normally assessed for the same violation. This penalty may not be waived, reduced, or suspended.
- (d) A person who drives a vehicle in a roadway construction zone in such a manner as to endanger or be likely to endanger any persons or property, or who removes, evades, or intentionally strikes a traffic safety or control device is guilty of reckless endangerment of roadway workers. A violation of this subsection is a civil infraction and a class C criminal offense.

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

#### **8.61.530 Racing of Vehicles on Highways - Reckless Driving - Exception**

No person or persons may race any motor vehicle or motor vehicles upon any public highway. Any person or persons who willfully compare or contest relative speeds by operation of one or more motor vehicles is guilty of racing, which shall constitute reckless driving, whether or not the speed is in excess of the maximum speed prescribed by law. Any comparison or contest of the accuracy with which motor vehicles may be operated in terms of relative speeds not in excess of the posted maximum speed does not constitute racing.

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

### **STOPPING, STANDING, AND PARKING**

#### **8.61.560 Stopping, Standing, or Parking Outside Business or Residence Districts**

- (a) No person may stop, park, or leave standing any vehicle, whether attended or unattended, upon the roadway.
- (b) Subsection (a) of this section and 8.61.570 and 8.61.575 do not apply to the driver of any vehicle that is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position. The driver shall nonetheless arrange for the prompt removal of the vehicle.
- (c) Subsection (a) of this section does not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging passengers.
- (d) Subsection (a) of this section and 8.61.570 and 8.61.575 do not apply to the driver of a solid waste collection company or recycling company vehicle who temporarily stops the vehicle as close as practical to the right edge of the right-hand shoulder of the roadway or right edge of the roadway if no shoulder exists for the purpose of and while actually engaged in the collection of solid waste or recyclables, or both.

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

**8.61.570      Stopping, Standing, or Parking Prohibited in Specified Places -  
Reserving Portion of Highway Prohibited**

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand, or park a vehicle:

(A) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(B) On a sidewalk or street planting strip;

(C) Within an intersection;

(D) On a crosswalk;

(E) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(F) Upon any bridge or other elevated structure upon a highway;

(G) At any place where official signs prohibit stopping.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(A) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(B) Within fifteen feet of a fire hydrant;

(C) Within twenty feet of a crosswalk;

(D) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;

(E) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly posted; or

(F) At any place where official signs prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading

property or passengers at any place where official signs prohibit parking.

- (b) Parking or standing is permitted in the manner provided by law at all other places, except a time limit may be imposed or parking restricted at other places, but the limitation and restriction shall be by Tribal ordinance.
- (c) No person shall move a vehicle not lawfully under his or her control into any prohibited area or away from a curb such a distance as is unlawful.
- (d) It is unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other person, nor shall any person be granted such right.

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

#### **8.61.575 Additional Parking Regulations**

- (a) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.
- (b) Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.
- (c) The Tribal Council may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing, or parking of vehicles on any highway where it has determined such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic. No person shall stop, stand, or park any vehicle in violation of the restrictions indicated by these devices.

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

#### **8.61.590 Unattended Motor Vehicle - Removal From Highway**

It is unlawful for the operator of a vehicle to leave the vehicle unattended within the limits of any highway unless the operator of the vehicle arranges for the prompt removal of the vehicle.

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

## **MISCELLANEOUS RULES**

### **8.61.600 Unattended Motor Vehicle**

- (a) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway.
- (b) The most recent driver of a motor vehicle which the driver has left standing unattended, who learns that the vehicle has become set in motion and has struck another vehicle or property, or has caused injury to any person, shall comply with the requirements of:
  - (1) 8.52.010 if his vehicle strikes an unattended vehicle or property adjacent to a public highway; or
  - (2) 8.52.020 if his vehicle causes damage to an attended vehicle or other property or injury to any person.
- (c) Any person failing to comply with subsection (b)(2) of this section is subject to the sanctions set forth in 8.52.020.

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

### **8.61.605 Limitations on Backing**

The driver of a vehicle shall not back the same unless the movement can be made with safety and without interfering with other traffic.

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

### **8.61.606 Driving on Sidewalk Prohibited - Exception**

No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

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

### **8.61.608 Operating Motorcycles on Roadways Laned for Traffic**

- (a) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane.
- (b) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

- (d) Motorcycles shall not be operated more than two abreast in a single lane.
- (e) Subsections (b) and (c) of this section shall not apply to police officers in the performance of their official duties.

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

#### **8.61.610 Riding on Motorcycles**

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator. The motorcycle must contain foot pegs, of an approved type, for each person the motorcycle is designed to carry.

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

#### **8.61.611 Motorcycles - Maximum Height for Handlebars**

No person shall operate on a public highway a motorcycle in which the handlebars or grips are more than fifteen inches higher than the seat or saddle for the operator.

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

#### **8.61.612 Riding on Motorcycles - Both Feet Not to Be on Same Side**

No person shall ride a motorcycle in a position where both feet are placed on the same side of the motorcycle.

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

#### **8.61.613 Motorcycles - Temporary Suspension of Restrictions for Parades or Public Demonstrations**

The provisions of 8.37.530 and 8.61.610 through 8.61.612 may be temporarily suspended by the chief of police, with respect to the operation of motorcycles in connection with a parade or public demonstration.

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

#### **8.61.614 Riding on Motorcycles - Clinging to Other Vehicles**

No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on a roadway.

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

#### **8.61.615 Obstructions to Driver's View or Driving Mechanism**

- (a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- (b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

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

#### **8.61.620 Opening and Closing Vehicle Doors**

No person shall open the door of a motor vehicle on the side adjacent to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle adjacent to moving traffic for a period of time longer than necessary to load or unload passengers.

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

#### **8.61.625 Riding in Trailers**

No person or persons shall occupy any trailer while it is being moved upon a public highway, except a person occupying a proper position for steering a trailer designed to be steered from a rear-end position.

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

#### **8.61.630 Coasting Prohibited**

- (a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of the vehicle in neutral.
- (b) The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

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

#### **8.61.635 Following Fire Apparatus Prohibited**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or stop the vehicle within five hundred feet of any fire apparatus stopped in answer to a fire alarm.

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

#### **8.61.640 Crossing Fire Hose**

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

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

#### **8.61.645 Throwing Dangerous Materials on Highway Prohibited - Removal**

- (a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon the highway.
- (b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.
- (c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from the vehicle.

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

#### **8.61.655 Dropping Load, Other Materials - Covering**

- (a) No vehicle shall be driven or moved on any public highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping, except that sand may be dropped for the purpose of securing traction. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon a public highway shall immediately cause the public highway to be cleaned of all the glass or objects and shall pay any costs therefor.
- (b) No person may operate on any public highway any vehicle with any load unless the load and the covering as required by subsection (c) of this section are securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.
- (c) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping is covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.
- (d) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

- (e) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

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

#### **8.61.660 Carrying Persons or Animals on Outside Part of Vehicle**

It is unlawful for any person to transport any living animal on the running board, fenders, hood, or other outside part of any vehicle unless suitable harness, cage or enclosure be provided and so attached as to protect the animal from falling or being thrown therefrom.

It is unlawful for any person to transport any persons upon the running board, fenders, hood or other outside part of any vehicle, except that this provision shall not apply to authorized emergency vehicles.

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

#### **8.61.665 Embracing Another While Driving**

It is unlawful for any person to operate a motor vehicle upon the highways when the person has in his or her embrace another person which prevents the free and unhampered operation of the vehicle.

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

#### **8.61.670 Driving with Wheels Off Roadway**

It is unlawful to operate or drive any vehicle or combination of vehicles over or along any pavement or gravel or crushed rock surface on a public highway with one, two, or all of the wheels off the roadway, except for the purpose of stopping off the roadway, or having stopped, for proceeding back onto the pavement, gravel or crushed rock surface.

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

#### **8.61.675 Causing or Permitting Vehicle to be Unlawfully Operated**

It is unlawful for the owner, or any other person, in employing or otherwise directing the operator of any vehicle to require or knowingly to permit the operation of the vehicle upon any public highway in any manner contrary to the law.

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

#### **8.61.680 Lowering Passenger Motor Vehicle Below Legal Clearance - Penalty**

It is unlawful to operate any passenger motor vehicle which has been modified from the original design so that any portion of the passenger vehicle other than the wheels has less clearance from the surface of a level roadway than the clearance between the roadway and the lowermost portion of any rim of any wheel the tire on which is in contact with the roadway.

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

**8.61.685 Leaving Children Unattended in Standing Vehicle With Motor Running - Penalty**

It is unlawful for any person, while operating or in charge of a vehicle, to park or willfully allow the vehicle to stand upon a public highway or in a public place with its motor running, leaving a minor child or children under the age of sixteen years unattended in the vehicle.

Any person violating the provisions of this section is guilty of a traffic infraction. A second or subsequent violation of this section is a class D criminal violation.

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

**8.61.687 Child Passenger Restraint Required - Conditions - Exceptions - Penalty for Violation - Dismissal - Noncompliance Not Negligence**

- (a) Whenever a child who is less than ten years of age is being transported in a motor vehicle that is in operation and that is required to be equipped with a safety belt system in a passenger seating position, the driver of the vehicle shall keep the child properly restrained as follows:
  - (1) If the child is less than three years of age, the child is properly restrained in a child restraint system that complies with standards of the United States Department of Transportation and that is secured in the vehicle in accordance with instructions of the manufacturer of the child restraint system;
  - (2) If the child is less than ten but at least three years of age, the child shall be restrained either as specified in (1) of this subsection or with a safety belt properly adjusted and fastened around the child's body.
- (b) A person violating subsection (a) of this section may be issued a notice of traffic infraction. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the jurisdiction issuing the notice, the Tribal Court shall dismiss the notice of traffic infraction.
- (c) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.
- (d) This section does not apply to:
  - (1) For hire vehicles,
  - (2) vehicles designed to transport sixteen or less passengers, including the driver, operated by auto transportation companies, and

- (3) vehicles providing customer shuttle service between parking, convention, and hotel facilities, and airport terminals.

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

#### **8.61.688      Safety Belts, Use Required - Penalties - Exemptions**

- (a) For the purposes of this section, the term "motor vehicle" includes:
  - (1) "Buses," meaning motor vehicles with motive power, except trailers, designed to carry more than ten passengers;
  - (2) "Multipurpose passenger vehicles," meaning motor vehicles with motive power, except trailers, designed to carry ten persons or less that are constructed either on a truck chassis or with special features for occasional off-road operation;
  - (3) "Passenger cars," meaning motor vehicles with motive power, except multipurpose passenger vehicles, motorcycles, or trailers, designed for carrying ten passengers or less; and
  - (4) "Trucks," meaning motor vehicles with motive power, except trailers, designed primarily for the transportation of property.
- (b) This section only applies to motor vehicles that meet the manual seat belt safety standards as set forth in federal motor vehicle safety standard 208. This section does not apply to a vehicle occupant for whom no safety belt is available when all designated seating positions as required by federal motor vehicle safety standard 208 are occupied.
- (c) Every person sixteen years of age or older operating or riding in a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner.
- (d) No person may operate a motor vehicle unless all passengers under the age of sixteen years are either wearing a safety belt assembly or are securely fastened into an approved child restraint device.
- (e) A person violating this section shall be issued a notice of traffic infraction.
- (f) Failure to comply with the requirements of this section does not constitute negligence, nor may failure to wear a safety belt assembly be admissible as evidence of negligence in any civil action.
- (g) This section does not apply to an operator or passenger who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.

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

**8.61.700 Parent or Guardian Shall not Authorize or Permit Violation by a Child or Ward**

The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of this chapter.

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

**8.61.710 Mopeds - General Requirements and Operation**

- (a) No person shall operate a moped upon the highways unless the moped has been assigned a moped registration number and displays a moped permit.
- (b) Notwithstanding any other provision of law, a moped may not be operated on a bicycle path or trail, bikeway, equestrian trail, or hiking or recreational trail.
- (c) Removal of any muffling device or pollution control device from a moped is unlawful.

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

**8.61.720 Mopeds - Safety Standards**

Mopeds shall comply with those federal motor vehicle safety standards established under the national traffic vehicle safety act of 1966 (15 U.S.C. Sec. 1381, et. seq.) which are applicable to a motor-driven cycle, as that term is defined in such federal standards.

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

**8.61.730 Wheelchair Conveyances**

- (a) No person may operate a wheelchair conveyance on any public roadway with a posted speed limit in excess of thirty-five miles per hour.
- (b) No person other than a wheelchair-bound person may operate a wheelchair conveyance on a public roadway.
- (c) Every wheelchair-bound person operating a wheelchair conveyance upon a roadway shall be granted all the rights and is subject to all the duties applicable to the driver of a vehicle by this chapter, except those provisions that by their nature can have no application.
- (d) A violation of this section is a traffic infraction.

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

## **OPERATION OF NONMOTORIZED VEHICLES**

### **8.61.750 Effect of Regulations - Penalty**

- (a) It is a traffic infraction for any person to do any act forbidden or fail to perform any act required in 8.61.750 through 8.61.780.
- (b) These regulations applicable to bicycles apply whenever a bicycle is operated upon any highway or upon any bicycle path, subject to those exceptions stated herein.

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

### **8.61.755 Traffic Laws Apply to Persons Riding Bicycles**

Every person riding a bicycle upon a roadway shall be granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in 8.61.750 through 8.61.780 and except as to those provisions of this chapter which by their nature can have no application.

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

### **8.61.758 Hand Signals**

All hand signals required of persons operating bicycles shall be given in the following manner:

- (a) Left turn. Left hand and arm extended horizontally beyond the side of the bicycle;
- (b) Right turn. Left hand and arm extended upward beyond the side of the bicycle, or right hand and arm extended horizontally to the right side of the bicycle;
- (c) Stop or Decrease Speed. Left hand and arm extended downward beyond the side of the bicycle.

The hand signals required by this section shall be given before initiation of a turn.

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

### **8.61.760 Riding on Bicycles**

- (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular attached seat.
- (b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

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

#### **8.61.765 Clinging to Vehicles**

No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

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

#### **8.61.770 Riding on Roadways and Bicycle Paths**

- (a) Every person operating a bicycle upon a roadway at a rate of speed less than the normal flow of traffic at the particular time and place shall ride as near to the right side of the right through lane as is safe except as may be appropriate while preparing to make or while making turning movements, or while overtaking and passing another bicycle or vehicle proceeding in the same direction. A person operating a bicycle upon a roadway may use the shoulder of the roadway or any specially designated bicycle lane if one exists.
- (b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

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

#### **8.61.775 Carrying Articles**

No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

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

#### **8.61.780 Lamps and Other Equipment on Bicycles**

- (a) Every bicycle when in use during the time that lights are required shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear which shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.
- (b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

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)  
Amended by Resolution No. 16-179 (December 14, 2016)

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

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