

TITLE VII: TRAFFIC CODE

Chapter

- 70. GENERAL PROVISIONS**
- 71. TRAFFIC REGULATIONS**
- 72. PARKING REGULATIONS**
- 73. RECREATIONAL MOTOR VEHICLES**

CHAPTER 70: GENERAL PROVISIONS

Section

70.01 Minnesota Statutes Chapters 168, 169 and 171 adopted by reference

70.99 Penalty

§ 70.01 MINNESOTA STATUTES CHAPTERS 168, 169 AND 171 ADOPTED BY REFERENCE.

Except as otherwise provided in this title, or elsewhere in this code, the regulatory and procedural provisions of M.S. Chs. 168, 169 (commonly referred to as the Highway Traffic Regulation Act) and 171, as they may be amended from time to time, are incorporated herein and adopted by reference, including the penalty provisions thereof.

(1986 Code, § 8.01) (Ord. 78, 2nd Series, passed 2-25-95)

§ 70.99 PENALTY.

(A) The penalty for violation of the state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

(B) Every person who violates a section, division, subsection or provision of this title when he or she performs an act thereby prohibited or declared unlawful or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows:

(1) Where the specific section, division, subsection or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this title, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12 month period for the third or subsequent time, he or she shall be punished as for a misdemeanor;

(2) As to any violations not constituting a misdemeanor under the provisions of division (B)(1) of this section, he or she shall be punished as for a petty misdemeanor;

(3) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision, so adopted. (1986 Code, § 8.99)

CHAPTER 71: TRAFFIC REGULATIONS

Section

- 71.01 U-turns
- 71.02 Exhibition driving
- 71.03 Unlawful acts

§ 71.01 U-TURNS.

It is unlawful for any person to operate a motor vehicle by turning so as to proceed in the opposite direction where prohibited by posted signs.
(1986 Code, § 8.02) Penalty, see § 70.99

§ 71.02 EXHIBITION DRIVING.

(A) *Prima facie evidence.* It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.* It is unlawful for any person to do any exhibition driving on any street, parking lot or other public or private property, except when an emergency creates necessity for the operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a racetrack. For purposes of this section, a **RACETRACK** means any track or premises whereon motorized vehicles, horses, dogs or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.
(1986 Code, § 8.03) Penalty, see § 70.99

§ 71.03 UNLAWFUL ACTS.

It is unlawful for any person:

(A) To display, cause or permit to be displayed or have in his or her possession any canceled, revoked, suspended, fictitious or fraudulently altered driver's license;

(B) To lend his or her driver's license to any other person or knowingly permit the use thereof by another;

(C) To display or represent as one's own any driver's license not issued to him or her;

(D) To fail or refuse to surrender to the Department of Highways of the State of Minnesota, upon its lawful demand, any driver's license which has been suspended, revoked or canceled; or

(E) To use a false or fictitious name or date of birth to any police officer or in any application for a driver's license, to knowingly make a false statement, to knowingly conceal a material fact or otherwise commit a fraud in any such application.

(1986 Code, § 8.05) Penalty, see § 70.99

CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Presumption
- 72.02 General parking prohibitions
- 72.03 Unauthorized removal
- 72.04 Direction to proceed
- 72.05 Parallel parking
- 72.06 Angle parking
- 72.07 Streets without curb
- 72.08 Parking hours
- 72.09 Snow removal from streets
- 72.10 Snow removal from Sidewalks
- 72.11 Truck parking
- 72.12 Parking rules in city parking lots
- 72.13 Impounding and removing vehicles
- 72.14 Vehicle repair on street
- 72.15 Parking for the purpose of advertising or selling merchandise
- 72.16 Physically handicapped parking

- 72.99 Penalty

§ 72.01 PRESUMPTION.

As to any vehicle parking in violation of this code and when the driver thereof is not present, it shall be presumed that the owner parked the same or that the driver was acting as the agent of the owner.
(1986 Code, § 9.01)

§ 72.02 GENERAL PARKING PROHIBITIONS.

It is unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a police officer or traffic-control device in any of the following places:

- (A) On a sidewalk;

- (B) In front of a public or private driveway;
 - (C) Within an intersection;
 - (D) Within ten feet of a fire hydrant;
 - (E) On a crosswalk;
 - (F) Within 20 feet of a crosswalk at any intersection;
 - (G) In a signposted fire lane;
 - (H) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
 - (I) Within 50 feet of the nearest rail of a railroad crossing;
 - (J) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly sign-posted;
 - (K) Alongside or opposite any street excavation or obstruction when the stopping, standing or parking would obstruct traffic;
 - (L) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (M) Upon any bridge or other elevated structure upon a street;
 - (N) At any place where official signs prohibit or restrict stopping, parking or both;
 - (O) In any alley, except for loading or unloading and then only so long as reasonably necessary for the loading and unloading to or from adjacent premises; or
 - (P) On any boulevard which has been curbed.
- (1986 Code, § 9.02) Penalty, see § 72.99

§ 72.03 UNAUTHORIZED REMOVAL.

It is unlawful for any person to move a vehicle not owned by the person into any prohibited area or away from a curb such distance as is unlawful.
(1986 Code, § 9.03) Penalty, see § 72.99

§ 72.04 DIRECTION TO PROCEED.

It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control or regulate traffic.
(1986 Code, § 9.04) Penalty, see § 72.99

§ 72.05 PARALLEL PARKING.

Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with and within 12 inches of the right-hand curb and, where painted markings appear on the curb or the street, the vehicle shall be within the markings, front and rear; provided that upon a one-way roadway all vehicles shall be so parked, except that the left-hand wheels of the vehicle may be parallel with and within 12 inches from the left-hand curb, but the front of the vehicle in any event and with respect to the remainder of the vehicle shall be in the direction of the flow of traffic upon the one-way street; and it is unlawful to park in violation of this section.
(1986 Code, § 9.05) Penalty, see § 72.99

§ 72.06 ANGLE PARKING.

Where angle parking has been established by Council resolution and is allowed, as shown by curb marking or sign-posting, or both, each vehicle stopped or parked shall be at an angle of approximately 45 to 60 degrees with the front wheel touching the curb and within any parking lines painted on the curb or street, provided that the front wheel not touching the curb shall be the portion of the vehicle furthest in the direction of one-way traffic; and it is unlawful to park in violation of this section.
(1986 Code, § 9.06) Penalty, see § 72.99

§ 72.07 STREETS WITHOUT CURB.

Upon streets not having a curb each vehicle shall be stopped or parked parallel and to the right of the paving, improved or main traveled part of the street; and it is unlawful to park in violation of this section.
(1986 Code, § 9.07) Penalty, see § 72.99

§ 72.08 PARKING HOURS.

Parking on streets shall be limited as follows:

(A) It is unlawful for any person to stop, park or leave standing any vehicle upon any street for a continuous period in excess of 24 hours;

(B) The Chief of Police may, when authorized by resolution of the Council, designate certain streets, blocks or portions of streets or blocks as prohibited parking zones, or five minute, ten minute, 15 minute, 30 minute, one hour, two hour, four hour, six hour, eight hour, morning or afternoon rush hour limited parking zones and shall mark by appropriate signs any zones so established. The zones shall be established whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free

flow of traffic. It is unlawful for any person to stop, park or leave standing any vehicle in a prohibited parking zone for a period of time in excess of the sign-posted limitation or during sign-posted hours of prohibited parking;

(C) It is unlawful for any person to remove, erase or otherwise obliterate any mark or sign placed upon a tire or other part of a vehicle by a police officer for the purpose of measuring the length of time the vehicle has been parked;

(D) For the purpose of enforcement of this section, any vehicle moved less than one block in a limited time parking zone shall be deemed to have remained stationary.
(1986 Code, § 9.08) Penalty, see § 72.99

§ 72.09 SNOW REMOVAL FROM STREETS.

(A) *Definition.* A **SNOW REMOVAL PERIOD**, as used in this section and between the dates of November 1 through April 1 of the year next following, begins when there has been an accumulation of one-half (1/2) inch of snow and ends when all streets referred to have been plowed curb-to-curb.

(B) *Parking prohibitions.* During a snow removal period it is unlawful to park or leave standing a vehicle:

- (1) On any street after 1:30 a.m. and before the street has been cleared of snow from curb to curb.

(C) *Snow emergency.* The Chief of Police and/or the City Superintendent are empowered to declare that a snow emergency exists in the city. When such a snow emergency is declared, vehicular parking shall, notwithstanding the provisions of divisions (A) and (B) of this section, be prohibited on any street until the snow emergency condition is declared to be terminated by either of the above named city officials. Snow emergency declarations and the termination thereof shall be announced over local radio stations.
(1986 Code, § 9.09) (Ord. 20, 2nd Series, passed 11-1-89) Penalty, see § 72.99

§ 72.10 SNOW REMOVAL FROM SIDEWALKS.

(A) *General Rule.* Notwithstanding any other ordinance of the City, no owner or occupant of any property adjacent to a public sidewalk shall allow snow or ice to remain on the sidewalk longer than 12 hours after its deposit or formation thereon.

(B) *Special Rule for Sidewalks in the Downtown Area.*

(1) For the purposes of this ordinance, "Downtown Area" means all streets that require the snow plowing technique utilizing windrows and removal by city crews. Downtown Area streets are identified as follows:

- a. Main Avenue N/S between the railroad and 4th Street N
- b. 2nd Avenue NE/SE between the railroad and 3rd Street NE

- c. 2nd Avenue NW/SW between the railroad and 3rd Street NW
- d. Center Street between 5th Avenue W and the Roseau River
- e. 2nd Street NE/NW between 5th Avenue W and 2nd Avenue NE
- f. 2nd Street SE/SW between 2nd Avenue SW and 2nd Avenue SE
- g. 3rd ½ Street NW

(2) Owners and occupants of property adjacent to a sidewalk in the Downtown Area shall remove snow and ice from such sidewalks in accordance with all the following requirements:

- a. All accumulated snow and ice on sidewalks shall be removed from Downtown Area sidewalks and placed into the street by 2:00a.m. in advance of city street snow removal operations.
- b. Owners and occupants of property adjacent to sidewalks in the Downtown Area shall regularly (at least once every four hours) clear adjacent sidewalks of snow and ice during periods of snowfall between 8:00a.m. (or business opening whichever is earlier) and 6:00p.m. (or business closing whichever is later). At no time during regular business hours shall snow accumulation in excess of one inch be allowed on sidewalks in the Downtown Area.

(C) *Placing Snow in Streets or Boulevards.* No person shall throw, put, push or cause to be thrown, put or pushed any snow or ice taken from any private premises or building, or from the side of any street, lane or alley, into the roadway of any public street, lane, alley or boulevard, except as allowed in the Downtown Area defined above or by the City Superintendent. It shall be the duty of the owners or occupants of any private premises or building from which such snow or ice is removed, immediately to remove such snow or ice from the roadway of such street, lane, alley or boulevard. No snow shall be pushed off of a private premise across a street onto the boulevard of a neighboring property.

(D) The city may from time to time remove snow or ice from sidewalks and roadways, or hire contractors to perform these duties on behalf of the city or private parties. However, neither the removal of snow or ice by the city, or its agent, nor the failure of the city, or its agent, to remove snow or ice shall relieve any person from his or her obligations under this ordinance.

(E) Compliance with (A), (B), and (C) of this ordinance does not satisfy, or relieve any person from, any other obligation imposed by statute, ordinance or common law, to keep and maintain sidewalks in a safe condition.

(F) Snow and ice left on sidewalks or streets in violation of this ordinance may be removed by the city and charged or assessed against landowners in accordance with this section.

(1) City personnel will give notice to the owner or occupant that snow and ice must be cleared by a given deadline.

Notice shall be given as follows:

- a. By delivering oral or written notice to the occupant;
- b. By giving notice by telephone to any owner or occupant who has requested that such notice be given by telephone to a specific number given to the City Superintendent; or
- c. If city employees are not immediately successful in giving notice under paragraphs (a) and (b) by posting written notice in a conspicuous location on the property.

(2) If snow and ice is not removed by the time specified in the notice described above, the city may remove such snow and ice using either city or contract forces and maintain accounts of costs and expenses incurred. The owner of the property adjacent to a sidewalk from which snow and ice is removed or, in the case of snow and ice placed in violation of (C) of this ordinance, the owner of the property from which the snow and ice was taken, shall be billed for such costs, payment of which shall be due within 30 days of the date of invoice. Unpaid charges will be levied as a special assessment against the owner's property.

Penalty, see § 72.99

§ 72.11 TRUCK PARKING.

(A) It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot or other public property except where specifically designated by the Council by resolution and sign-posted.

(B) It is unlawful to park a truck (other than a truck not exceeding the weight of one ton), truck-trailer, tractor-trailer or truck-tractor in a district zoned for residential uses except for the purpose of loading or unloading the same and then only during the time as is reasonably necessary for the activity.

(1986 Code, § 9.10) Penalty, see § 72.99

§ 72.12 PARKING RULES IN CITY PARKING LOTS.

In city-owned parking lots, the Council may limit the sizes and types of motor vehicles to be parked thereon, hours of parking and prescribed method of parking, provided that the limitations and restrictions are marked or sign-posted thereon. It is unlawful to park or leave standing any vehicle backed into a parking place, to drive in a direction opposite the flow of traffic marked by "one-way" signs or arrows or to park any vehicle in any city-owned parking lot contrary to the restrictions or limitations marked or sign-posted therein.

(1986 Code, § 9.11) Penalty, see § 72.99

§ 72.13 IMPOUNDING AND REMOVING VEHICLES.

When any police officer finds a vehicle standing upon a street or city-owned parking lot in violation of any parking regulation, the officer is authorized to require the driver or other person in charge of the vehicle to remove the same to a position in compliance with this chapter. When any police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of any parking regulation, the officer is

authorized to impound the unlawfully parked vehicle and to provide for the removal thereof and to remove the same to a convenient garage or other facility or place of safety; provided, that if any charge shall be placed against the vehicle for cost of removal or storage, or both, by anyone called upon to assist therewith, the same shall be paid prior to removal from the place of storage or safekeeping.

(1986 Code, § 9.12)

§ 72.14 VEHICLE REPAIR ON STREET.

It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street or attempt to do so.

(1986 Code, § 9.13) Penalty, see § 72.99

§ 72.15 PARKING FOR THE PURPOSE OF ADVERTISING OR SELLING MERCHANDISE.

It is unlawful for any person to park a vehicle on any street for the purpose of advertising the vehicle for sale, for the purpose of advertising for sale or selling merchandise thereon or therein or advertising any merchandise for sale or a forthcoming event, except for agricultural produce on locations designated by the city.

(1986 Code, § 9.14) Penalty, see § 72.99

§ 72.16 PHYSICALLY HANDICAPPED PARKING.

(A) Statutory parking privileges for the physically handicapped shall be strictly observed and enforced. Police officers are authorized to tag vehicles on either private or public property in violation of the statutory privileges.

(B) It is unlawful for any person, whether or not physically handicapped, to stop, park or leave standing a motor vehicle:

(1) In a sign-posted fire lane at any time; or

(2) In lanes where, and during such hours as, parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

(1986 Code, § 9.15) Penalty, see § 72.99

§ 72.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Every person who violates a section, division, subsection or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful or fails to act when the failure is prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows:

(1) Where the specific section, division, subsection or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12 month period for the third or subsequent time, he or she shall be punished as for a misdemeanor;

(2) As to any violation not constituting a misdemeanor under the provisions of division (B)(1) of this section, he or she shall be punished as for a petty misdemeanor.
(1986 Code, § 9.99)

CHAPTER 73: RECREATIONAL MOTOR VEHICLES

Section

- 73.01 Definitions
- 73.02 Operating restrictions
- 73.03 Owner responsibility
- 73.04 Additional snowmobile operating regulations
- 73.05 Snowmobile equipment

§ 73.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL-TERRAIN VEHICLE or ***ATV***. Trail bikes, amphibious vehicles and similar devices, other than snowmobiles used at least partially for travel on natural terrain, but not special mobile equipment as defined in M.S. § 168.011, Subd. 22, which is incorporated herein by reference.

MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, whether or not designed for use on streets and highways, including motorized scooters, bicycles and similar motor powered vehicles.

MOTORIZED BICYCLE. A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1% grade in any direction when the motor is engaged.

OPERATE. To ride in or on and have control of a recreational motor vehicle.

OPERATOR. The person who operates or is in actual physical control of a recreational motor vehicle.

OWNER. A person, other than a lien holder, having a property interest in or title to a recreational motor vehicle, who is entitled to the use or possession thereof.

RECREATIONAL MOTOR VEHICLE. Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motorcycle, motorized bicycle, all-terrain vehicle, snowmobile, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.
(1986 Code, § 8.04(1))

§ 73.02 OPERATING RESTRICTIONS.

It is unlawful for any person to operate a recreational motor vehicle as follows:

- (A) On a public sidewalk or walkway provided or used for pedestrian travel;
 - (B) On private property of another without lawful authority or permission of the owner or occupant;
 - (C) On any lands owned or occupied by a public body except as authorized by the Council;
 - (D) While the operator is under the influence of liquor or narcotics or habit-forming drugs;
 - (E) At a rate of speed greater than reasonable or proper under all of the surrounding circumstances;
 - (F) In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto;
 - (G) At a speed greater than ten miles per hour when within 100 feet of any lakeshore, except in channels or of a fisherman, ice house, skating rink or sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property;
 - (H) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;
 - (I) Chasing, running over or killing any animal, wild or domestic.
- (1986 Code, § 8.04(2)) Penalty, see § 70.99

§ 73.03 OWNER RESPONSIBILITY.

(A) It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the owner or occupant on city property without the permission of the Council or on other public property without permission of the body in charge thereof. For purposes of this section, the owner shall be conclusively presumed to have given the permission unless the recreational motor vehicle so operated shall have been reported stolen to a law enforcement agency.

(B) Every person leaving a recreational motor vehicle in a public place shall lock the ignition, remove the key and take the same with him or her.

(1986 Code, § 8.04(3)) Penalty, see § 70.99

§ 73.04 ADDITIONAL SNOWMOBILE OPERATING REGULATIONS.

(A) It is unlawful for any person to operate a snowmobile upon the roadway, shoulder or inside bank or slope of any street or highway. Operation in the ditch or on the outside bank within the right-of-way of any street or highway except interstate highways or freeways is permitted in conformance with state law and the city code, unless the roadway directly abuts a public sidewalk or walkway or property used for private purposes. Between the hours of one-half hour after sunset to one-half hour before sunrise, any operation may only be on the right-hand side of the street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto.

(B) A snowmobile may make a direct crossing of a street or highway except an interstate highway or freeway, provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

(4) In crossing a divided street or highway, the crossing is made only at an intersection of the street or highway with another public street or highway;

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility only if both front and rear lights are on.

(C) No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard.

(D) Notwithstanding any prohibition in this section, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

(E) No person under 14 years of age shall operate on streets or highways or make a direct crossing of a street or highway as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets or highways as permitted under this section and make a direct crossing thereof only if he or she has in his or her immediate possession a valid snowmobile safety

certificate issued by the Commissioner of Conservation as provided by M.S. § 84.86, as it may be amended from time to time. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

(1986 Code, § 8.04(4)) Penalty, see § 70.99

§ 73.05 SNOWMOBILE EQUIPMENT.

It is unlawful for any person to operate a snowmobile unless it is equipped with the following:

(A) Standard mufflers which are properly attached and in constant operation and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on September 1, 1970. No person shall use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound;

(B) Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operation;

(C) A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track;

(D) At least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The required equipment must be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility;

(E) Reflective material at least 16 inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

(1986 Code, § 8.04(5)) Penalty, see § 70.99