

ROBINSON RANCHERIA OF POMO INDIANS OF CALIFORNIA
TRAFFIC AND MOTOR VEHICLES CODE

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CHAPTER 1 – GENERAL PROVISIONS

Section 1.101 Purpose, Findings and Construction

The Robinson Rancheria of Pomo Indians of California (“Tribe”) adopts this Code to promote the welfare and safety of all persons who use the Roadways and Highways within the jurisdiction of the Tribe’s Reservation (“Reservation”) and to provide for fair and efficient disposition of civil Traffic Infractions. The Tribe finds and declares that Public Law 280 did not divest the Tribe of its inherent sovereign authority to establish our own laws and enforce them.

This Code will be liberally construed to give full effect to the purposes for which it was enacted and shall be interpreted and construed to preserve the peace, safety, health and general welfare of the people of the Tribe and those on the Reservation. Furthermore, the Code shall be interpreted and construed to:

1. Preserve and promote the peace, order, harmony, safety, health and general welfare of the people of the Tribe and those permitted to enter or reside on the Reservation;
2. Safeguard individual rights and community standards;
3. Secure rights and powers inherent in the Tribe’s sovereign status;
4. Exert jurisdiction over matters essential to the Tribe’s self-determination and self-governance;
5. Treat all parties fairly and without prejudice by protecting individual rights guaranteed by the “Indian Civil Rights Act” and by the traditions, customs and laws of the Tribe; and
6. Resolve infractions fairly and efficiently.

Section 1.102 Jurisdiction

The Tribe shall exercise jurisdiction under this Code over all lands, rights-of-way, easements, Streets, Alleys, Highways or other Roadways within the exterior boundaries of the Reservation. The Court shall have concurrent jurisdiction over all cases arising under this Code. The jurisdiction of the Tribal Court shall extend to all persons found within the exterior boundaries of the Reservation and is limited only by the Tribe’s Constitution, and applicable state and federal law.

Section 1.103 Explanation of Privilege

The operation of a Motor Vehicle on the Reservation is a privilege which may be granted, denied, suspended or revoked by the Tribe.

Section 1.104 Officers to Enforce Traffic Codes

All law enforcement Officers commissioned by the Tribe or the United States Government shall have the authority to enforce the provisions of this Code.

Section 1.105 Effect of Invalidity

If any provision of this Code or its applicability to any person or circumstance is held invalid, the remainder of this Code or its application to other persons or circumstances shall not be thereby affected.

Section 1.106 Prior Traffic Laws and Code Repealed

This Traffic and Motor Vehicles Code title repeals and supersedes all prior Traffic and Motor Vehicle codes and / or any Tribal laws affecting Traffic and Motor Vehicles.

Section 1.107 Definitions

The following terms, when used in this Code, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

“Alley” means any Highway having a Roadway not exceeding twenty-five (25) feet in width which is primarily used for access to the rear or side entrances of abutting property.

“Authorized Emergency Vehicle” means any Vehicle used by a fire department, law enforcement department, or ambulance.

“Court or Tribal Court” only means the Tribe’s court.

“Driver” means any person who is the operator of a Vehicle or is in physical control of a Vehicle.

“Highway” means a place or way of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, also including Streets and Roadways.

“Infraction” except as otherwise provided in this Code, means an unlawful violation or failure to comply with any provision of this Code, or any Tribal law adopted pursuant to this Code.

“Motor Vehicle” means a Vehicle which is self-propelled.

“Motorcycle” means every Motor Vehicle having a seat for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, excluding mopeds and farm Vehicles.

“Officer” means any and all law enforcement Officers commissioned by the Tribe or the United States government.

“Owner” means the person who has lawful right of possession of a Vehicle.

“Park or Parking” means to stop and keep Standing a Vehicle for a time other than for the purpose of temporarily loading or unloading.

“Pedestrian” means any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle.

“Registered Owner” means a person registered by a department of Motor Vehicles as the Owner of a Vehicle.

“Right-of-way” means the privilege of the immediate use of the Roadway or Highway.

“Roadway”: see Highways.

“Stand or Standing”: see Park or Parking.

“Street”: see Highway.

“Traffic” means Pedestrians, ridden or herded animals, vehicular conveyances, either singly or together, while using a Roadway for purpose of travel.

“Vehicle”: see Motor Vehicle.

Section 1.108 Notice of Infraction Issuance by Enforcement Officer

An Officer has the authority to issue a notice of civil Traffic Infraction:

1. When the violation occurs in the Officer's presence;
2. When the Officer investigating the scene of an accident has reasonable cause to believe a civil Traffic Infraction has been committed; or
3. When an Officer discovers an unattended Vehicle Parked, stopped, or Standing in violation of any provision of this Code, in which event the Officer shall affix a notice of the Infraction in plain view on the Vehicle.

Section 1.109 Issuance by Court

The Court may issue a notice of Traffic Infraction when it receives a written statement by an Officer that there is reasonable cause to believe that an Infraction has been committed.

Section 1.110 Citation Form

A notice of the Traffic Infraction shall be on a citation form authorized by the Court.

Section 1.111 Options for Response

A person shall respond to a citation in any one of the following ways:

1. Pay the fine. The fine shall be paid to the Court on or before the day of the initial hearing. The Court shall then enter a judgment that the person committed the Traffic Infraction. If the Infraction requires a mandatory appearance under this Code, the person cannot pay the fine in lieu of appearing before the Court;
2. Request a hearing to contest the issuance of the citation and that a Traffic Infraction occurred; or
3. Request a hearing (without contesting that he or she committed the violation) to explain the circumstances surrounding the occurrence of the Traffic Infraction which might arguably lessen the amount of fine.

Section 1.112 Time of Initial Hearing

The date and time for the hearing on an Infraction shall be stated on the citation, and shall be no less than seven (7) days and no more than ninety (90) days from date the citation is issued.

Section 1.113 Failure to Appear in Court

If a person fails to appear as requested by the notice or citation, the Court shall enter an order finding that the person committed the Traffic Infraction and shall assess the appropriate fine. The Court may also revoke or suspend the person's privilege to operate a Motor Vehicle within the Reservation.

Section 1.114 Hearings for Infractions

At the hearing scheduled pursuant to Section 1.112, the person may explain the circumstances related to the citation or to contest the citation.

Section 1.115 Orders of the Court

All orders entered by the Court under this Code are civil in nature. The Court may, in its discretion, waive, reduce, or suspend the fine. The Court may also order suspension or revocation of the Driver's privilege to operate a Motor Vehicle within the Reservation, as provided under this Code.

CHAPTER 2 - VEHICLE REGISTRATION AND LICENSE PLATES

Section 2.101 Registrations Required

1. No person shall drive, move or leave Standing upon a Highway, or in an off-Street Parking facility, any Motor Vehicle, trailer or Motorcycle which requires registration under the laws of the United States.
2. All Vehicles located within the Tribe's jurisdiction must be lawfully registered with a government.

Commentary: This provision is generally based on California Vehicle Code Section 4000. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 2.102 Possession of Vehicle Registration Card

1. The Driver of a Motor Vehicle shall present the registration or identification card or other evidence of registration of any and all Vehicles under his immediate control for examination upon demand of any law enforcement Officer.
2. No person shall display upon a Vehicle, nor present to any Officer, any registration card, identification card, temporary receipt, license plate, device or permit not issued for that Vehicle.

Commentary: This provision is generally based on California Vehicle Code Section 4462. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 2.103 Display of License Plates

When two license plates are issued by a department of Motor Vehicles for a Vehicle, they shall be attached to the Vehicle for which they are issued, one to the front and the other in the rear.

Section 2.104 Positioning of License Plates

License plates shall at all times be securely fastened to the Vehicles for which they are issued and be clearly visible. License plates shall be maintained in a condition so that they are clearly legible. Neither the rear plate nor the front plate may be less than 12 inches nor more than 60 inches from the ground.

Commentary: This provision is generally based on California Vehicle Code Section 5201. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 2.105 Registration Tabs Displayed on License Plate

The current year tab and a valid month tab shall be attached to the rear license plate assigned to the Vehicle for which they are issued.

Commentary: This provision is generally based on California Vehicle Code Section 5204. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 3 - DRIVER'S LICENSE AND PRIVILEGES

Section 3.101 Driving While Unlicensed

1. A person may not drive a Motor Vehicle upon a Highway, unless the person then holds a valid Driver's license.
2. A person may not drive a Motorcycle, motor-driven cycle, or motorized bicycle upon a Highway, unless the person then holds a valid Driver's license or endorsement for that class.

Commentary: This provision is generally based on California Vehicle Code Section 12500. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 3.102 Driver's License in Possession

1. A person shall have the valid Driver's license issued to him or her in his or her immediate possession at all times when driving a Motor Vehicle.
2. The Driver of a Motor Vehicle shall present his or her license for examination upon demand of an Officer enforcing the provisions of this Code.

Commentary: This provision is generally based on California Vehicle Code Section 12951. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 3.103 Driving While License is Suspended or Revoked

No person shall drive a Motor Vehicle when his or her driving privilege is suspended or revoked for any reason.

Commentary: This provision is generally based on California Vehicle Code Section 14601.1. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 3.104 Permitting Unlicensed Minor to Drive

No person shall cause or knowingly permit his child, ward, or employee under the age of 18 years to drive a Motor Vehicle upon the Highways unless such child, ward, or employee is then licensed under this Code.

Commentary: This provision is generally based on California Vehicle Code Section 14607. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 3.105 Unlawful Use of License

It is unlawful for any person:

1. To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, fraudulently altered, or fraudulently obtained Driver's license.
 - (a) To lend his Driver's license to any other person or knowingly permit the use thereof by another.
 - (b) To display or represent any Driver's license not issued to him as being his license.

- (c) To fail or refuse to surrender upon its lawful demand any Driver's license which has been suspended, revoked or canceled.
- (d) To permit any unlawful use of a Driver's license issued to him.
- (e) To do any act forbidden or fail to perform any act required by this section.
- (f) To photograph, Photostat, duplicate, or in any way reproduce any Driver's license or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or have in his possession any such photograph, Photostat, duplicate, reproduction, or facsimile unless authorized by the provisions of this Code.
- (g) To alter any Driver's license in any manner not authorized by this Code.

2. For purposes of this section, "Driver's license" includes a temporary permit to operate a Motor Vehicle.

Commentary: This provision is generally based on California Vehicle Code Section 14610. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 4 - FINANCIAL RESPONSIBILITY

Section 4.101 Proof of Insurance

Upon the demand of an Officer or Traffic collision investigator, every person who drives a Motor Vehicle upon a Highway shall provide evidence of financial responsibility for the Vehicle that is in effect at the time the demand is made. However, an Officer shall not stop a Vehicle for the sole purpose of determining whether the Vehicle is being driven in violation of this subdivision.

Commentary: This provision is generally based on California Vehicle Code Section 16028. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 5 - RULES OF THE ROAD

Section 5.101 Traffic Signs, Signals and Markings

The Driver of any Vehicle and every bicyclist shall obey the instructions of any official Traffic sign, signal and marking placed within the jurisdiction of the Tribe, unless otherwise directed by an Officer, flagger or firefighter.

Commentary: This provision is generally based on California Vehicle Code Section 21450 . If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 5.102 Double Yellow Lines

When double parallel solid lines are in place on the Roadway surface, no person driving a Vehicle shall drive to the left thereof, except as permitted by Tribal law.

Commentary: This provision is generally based on California Vehicle Code Section 21460. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 5.103 Stop Signs and Requirements

1. The Driver of any Vehicle approaching a stop sign at the entrance to, or within an intersection shall stop at a limit line, if marked, or otherwise before entering the crosswalk on the near side of the intersection.

2. If there is no limit line or crosswalk, the Driver shall stop at the entrance to the intersecting Roadway.

Commentary: This provision is generally based on California Vehicle Code Section 22450. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 6 - DRIVING, OVERTAKING AND PASSING

Section 6.101 Drive on Right Side of Roadway

Upon all Highways, a Vehicle shall be driven upon the right half of the Roadway, except:

1. When placing a Vehicle in a lawful position for, and when the Vehicle is lawfully making, a left turn;
2. When the right half of a Highway is closed to Traffic under construction or repair;
3. Upon a Highway restricted to one-way Traffic; or
4. When the Highway is not of sufficient width.

Commentary: This provision is generally based on California Vehicle Code Section 21650. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 6.102 Overtake and Pass

The following rules shall govern the overtaking and passing of Vehicles proceeding in the same direction:

1. A Driver may overtake and pass another Vehicle only while traveling on the left side of the Highway and shall not return to the right side of the Highway until safely clear of the overtaken Vehicle.
2. A Driver may overtake and pass another Vehicle only when the left side of the Highway is clearly visible and free of oncoming Traffic.
3. No Vehicle shall be driven on the left side of the Highway when approaching the crest of a grade, a curve, or where markings are in place to define a no passing zone.
4. All passing shall be done in a safe manner.

Commentary: This provision is generally based on California Vehicle Code Section 21750. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 6.103 Overtake and Pass on the Right

The Driver of a Motor Vehicle may overtake and pass another Motor Vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the paved or main-traveled portion of the Highway.

Commentary: This provision is generally based on California Vehicle Code Section 21755. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 7 - RIGHT-OF-WAYS

Section 7.101 Right-of-Way at Intersections

1. The Driver of a Vehicle approaching an intersection shall yield the Right-of-Way to any Vehicle which has entered the intersection from a different Highway.
2. When two Vehicles enter an intersection from different Highways at the same time, the Driver of the Vehicle on the left shall yield the Right-of-Way to the Vehicle on his or her immediate right, except that the Driver of any Vehicle on a terminating Highway shall yield the Right-of-Way to any Vehicle on the intersecting continuing Highway.

Commentary: This provision is generally based on California Vehicle Code Section 21800. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.102 Left Turn and U-turn Right-of-Way

1. The Driver of a Vehicle intending to turn to the left or to complete a U-turn upon a Highway, or to turn left into public or private property, or an Alley, shall yield the Right-of-Way to all Vehicles approaching from the opposite direction which are close enough to constitute a hazard at any time during the turning movement, and shall continue to yield the Right-of-Way to the approaching Vehicles until the left turn or U-turn can be made with reasonable safety.
2. A Driver having yielded as prescribed in subdivision (1), and having given a signal when and as required by this Code, may turn left or complete a U-turn, and the Drivers of Vehicles approaching the intersection or the entrance to the property or Alley from the opposite direction shall yield the Right-of-Way to the turning Vehicle.

Commentary: This provision is generally based on California Vehicle Code Section 21801. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.103 Right-of-Way at Stop Signs and Intersection

1. The Driver of any Vehicle approaching a stop sign at the entrance to, or within an intersection shall stop. The Driver shall then yield the Right-of-Way to any Vehicles which have approached from another Highway, or which are approaching so closely as to constitute an immediate hazard, and shall continue to yield the Right-of-Way to those Vehicles until he or she can proceed with reasonable safety.
2. A Driver having yielded as prescribed in subdivision (1) may proceed to enter the intersection, and the Drivers of all other approaching Vehicles shall yield the Right-of-Way to the Vehicle entering or crossing the intersection.
3. This section does not apply where stop signs are erected upon all approaches to an intersection.

Commentary: This provision is generally based on California Vehicle Code Section 21802. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.104 Entry onto a Highway

1. The Driver of any Vehicle about to enter or cross a Highway from any public or private property, or from an Alley, shall yield the Right-of-Way to all Traffic approaching on the Highway close enough to constitute an immediate hazard, and shall continue to yield the Right-of-Way to that Traffic until he or she can proceed with reasonable safety.
2. A Driver having yielded as prescribed in subdivision (1) may proceed to enter or cross the Highway, and the Drivers of all other Vehicles approaching on the Highway shall yield the Right-of-Way to the Vehicle entering or crossing the intersection.

Commentary: This provision is generally based on California Vehicle Code Section 21804. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.105 Right-of-Way to Authorized Emergency Vehicle

Upon the immediate approach of an Authorized Emergency Vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the Vehicle, the surrounding Traffic shall, except as otherwise directed by a Traffic Officer, do the following:

The Driver of every other Vehicle shall yield the Right-of-Way and shall immediately drive to the right-hand edge or curb of the Highway, clear of any intersection, and thereupon shall stop and remain stopped until the Authorized Emergency Vehicle has passed.

Commentary: This provision is generally based on California Vehicle Code Section 21806. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.106 Right-of-Way at Crosswalk

1. The Driver of a Vehicle shall yield the Right-of-Way to a Pedestrian crossing the Roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this Code.
2. This section does not relieve a Pedestrian from the duty of using due care for his or her safety. No Pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a Vehicle that is so close as to constitute an immediate hazard. No Pedestrian may unnecessarily stop or delay Traffic while in a marked or unmarked crosswalk.
3. The Driver of a Vehicle approaching a Pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the Vehicle or take any other action relating to the operation of the Vehicle as necessary to safeguard the safety of the Pedestrian.
4. Subdivision (2) does not relieve a Driver of a Vehicle from the duty of exercising due care for the safety of any Pedestrian within any marked crosswalk.

Commentary: This provision is generally based on California Vehicle Code Section 21950. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 7.107 Pedestrian Outside of Crosswalk

1. Every Pedestrian upon 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 so near as to constitute an immediate hazard.
2. The provisions of this section shall not relieve the Driver of a Vehicle from the duty to exercise due care for the safety of any Pedestrian upon a Roadway.

Commentary: This provision is generally based on California Vehicle Code Section 21954. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 8 - TURNING, STOPPING, FOLLOWING

Section 8.101 Turning upon a Highway

The Driver of any Vehicle intending to turn upon a Highway shall do so as follows:

1. **“Right Turns”** The approach for a right-hand turn shall be made as close as practicable to the right-hand curb or edge of the Highway.
2. **“Left Turns”** The approach for a left turn shall be made as close as practicable to the left-hand edge of the extreme left-hand lane or portion of the Highway lawfully available to Traffic moving in the direction of travel of the Vehicle and, when turning at an intersection, the left turn shall not be made before entering the intersection. After entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to Traffic moving in that direction upon the Highway being entered, except that upon a Highway having three marked lanes for Traffic moving in one direction that terminates at an intersecting Highway accommodating Traffic in both directions, the Driver of a Vehicle in the middle lane may turn left into any lane lawfully available to Traffic moving in that direction upon the Highway being entered.

Commentary: This provision is generally based on California Vehicle Code Section 22100. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.102 Starting a Parked Vehicle and Unsafe Backing

No person shall start a Vehicle stopped, Standing, or Parked on a Highway, nor shall any person back a Vehicle on a Highway until such movement can be made with reasonable safety.

Commentary: This provision is generally based on California Vehicle Code Section 22106. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.103 Unsafe Turning and Required Signaling

No person shall turn a Vehicle from a direct course or move right or left upon a Roadway until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided in this chapter in the event any other Vehicle may be affected by the movement

Commentary: This provision is generally based on California Vehicle Code Section 22107. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.104 Approach of a School Bus

A Driver of any Vehicle, upon meeting or overtaking from either direction any school bus equipped with proper signs that is stopped for the purpose of loading or unloading school children and displays a flashing red light signal and stop signal visible from the front or rear, shall bring the Vehicle to a stop immediately before passing the school bus and shall not proceed past the school bus until the flashing red light signal and stop arm cease operation.

Commentary: This provision is generally based on California Vehicle Code Section 22112. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.105 Following Too Close

The Driver of a Vehicle shall not follow another Vehicle more closely than is reasonable for the speed and travel conditions.

Commentary: This provision is generally based on California Vehicle Code Section 21704. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.106 U-Turn

The Driver of any Vehicle shall not turn such Vehicle so as to proceed in the opposite direction unless such movement can be made safely, without interfering with other Traffic and without violating any other section of this Code.

Commentary: This provision is generally based on California Vehicle Code Section 22102. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 8.107 Driving over a Fire Hose

No person shall drive or propel any Vehicle or conveyance upon, over, or across, or in any manner damage any fire hose or chemical hose used by or under the supervision and control of any organized fire department. However, any Vehicle may cross a hose provided suitable jumpers or other appliances are installed to protect the hose.

Commentary: This provision is generally based on California Vehicle Code Section 21708. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 9 - SPEED AND SPEED RELATED OFFENSES

Section 9.101 Initiation of an Investigation to Determine Need for Changes.

The Tribal government may initiate an engineering and Traffic investigation to determine whether the maximum speed limits within the Tribe's jurisdiction are greater or less than is reasonable and safe under the conditions of a particular Highway or section of Highway. The Tribe may then declare a reasonable and safe maximum speed limit and cause the same to be posted.

Section 9.102 Basic Speed

1. No person shall drive a Vehicle in excess of the posted speed limits within the jurisdiction of the Tribe or as designated by this Code for the particular district or location
2. No person shall drive a Motor Vehicle or a bicycle upon a Highway in a manner or at a speed greater than is reasonable and prudent having due regard for weather, visibility, and Traffic, and in no event at a speed which endangers the safety of persons or property.

Commentary: This provision is generally based on California Vehicle Code Section 22350. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 9.103 Reckless Driving

No person shall drive a Motor Vehicle upon a Highway or Parking lot in a willful or wanton manner, including speeding, that disregards the safety of persons or property.

Commentary: This provision is generally based on California Vehicle Code Section 23103. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 10 - PUBLIC OFFENSES: DEFINITIONS AND EXEMPTIONS

Section 10.101 Authorized Emergency Vehicle

A public employee is not liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation, in the line of duty, of an Authorized Emergency Vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call.

Commentary: This provision is generally based on California Vehicle Code Section 17004 . If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.102 Exemption of Authorized Emergency Vehicle

The Driver of an Authorized Emergency Vehicle is exempt:

1. If the Vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department Vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.
2. If the Driver of the Vehicle sounds a siren as may be reasonably necessary and the Vehicle displays a lighted red lamp visible from the front as a warning to other Drivers and Pedestrians.
3. A siren shall not be sounded by an Authorized Emergency Vehicle except when required under this section.

Commentary: This provision is generally based on California Vehicle Code Section 21055. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.103 Obedience of Officers Required

It is unlawful to willfully fail or refuse to comply with any lawful order, signal or direction of an Officer in this jurisdiction.

Commentary: This provision is generally based on California Vehicle Code Section 2800. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.104 Evading an Officer

Any person who, while operating a Motor Vehicle and with the intent to evade, willfully flees or otherwise attempts to elude a pursuing Officer or his Motor Vehicle, is guilty of a misdemeanor if all of the following conditions exist:

1. The Officer's Motor Vehicle is exhibiting at least one (1) lighted red lamp visible from the front and the person sees or reasonably should have seen the lamp;

2. The Officer's Vehicle is sounding a siren;
3. The Officer's Vehicle is distinctly marked; and
4. The Officer is wearing a distinctive uniform as authorized by the Tribe.

Commentary: This provision is generally based on California Vehicle Code Section 2800.1. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.105 Vehicle Tampering

No person shall either individually or in association with one or more other persons, willfully injure or tamper with any Vehicle or the contents thereof or break or remove any part of a Vehicle without the consent of the Owner.

Commentary: This provision is generally based on California Vehicle Code Section 10852. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.106 Malicious Mischief to a Vehicle

No person shall with intent to commit any malicious mischief, injury, or other crime, climb into or upon a Vehicle whether it is in motion or at rest, nor shall any person attempt to manipulate any of the levers, starting mechanism, brakes, or other mechanism or device of a Vehicle while the same is at rest and unattended, nor shall any person set in motion any Vehicle while the same is at rest and unattended.

Commentary: This provision is generally based on California Vehicle Code Section 10853. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.107 Throwing Substances From or at a Vehicle

1. No person shall throw or deposit upon any Roadway any glass, nails, tacks, wire, cans, bottles, or any substance likely to injure any person or animal or Vehicle on the Roadway, or near the edge of such Roadway.
2. Any person removing a wrecked or damaged Vehicle from a Roadway shall remove any glass or other injurious substance dropped from the Vehicle onto the Roadway.
3. No person shall throw any flammable substance from a Vehicle likely to start a fire or cause bodily injury.

Commentary: This provision is generally based on California Vehicle Code Section 23110. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 10.108 Hazardous Materials

1. No person shall Drive or Park any Vehicle containing hazardous material without prior approval of the Tribe or Officer of the Tribe.

2. For purposes of this section, “hazardous material” means any substance, material or device posing an unreasonable risk to health, safety or property, including, but not limited to, explosives, flammable liquid, liquefied petroleum gas or poisonous gas.

3. Hazardous material spills shall be reported to the Robinson Rancheria Environmental Protection Department for deployment and containment assistance and to the United States Environmental Protection Agency, as necessary.

Section 10.109 Interfering with Driver or Mechanisms

1. No person shall willfully interfere with the Driver of a Vehicle or with the mechanism thereof in such manner as to affect the Driver’s control of the Vehicle.

2. No person shall drive a Vehicle when it is so loaded, or when there are in the front seat such number of persons 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.

Commentary: This provision is generally based on California Vehicle Code Section 21701. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 11 - ALCOHOL AND DRUG RELATED VEHICLE OFFENSES

Section 11.101 Driving Under the Influence

1. It is unlawful for any person who is under the influence of an alcoholic beverage or any drug to drive a Vehicle.
2. It is unlawful for any person who has eight one-hundredths (0.08) percent or more, by weight, of alcohol in his or her blood to drive a Vehicle as measured by a preliminary alcohol screening device. Results from a PAS device, driving pattern, and observation of the offender during the Officer's investigation shall be sufficient evidence to substantiate a violation of this chapter.

Commentary: Adjudicators may refer to California Vehicle Code Section 23152. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 11.102 Minor Under the Age of 21 Under the Influence

1. It is unlawful for a person under the age of 21 years who has a blood-alcohol concentration of 0.01 percent or greater, as measured by a preliminary alcohol screening test or other chemical test, to drive a Vehicle. However, this section shall not be a bar to prosecution under any other provision of law.
2. A person shall be found to be in violation of subdivision (1) if the person was, at the time of driving, under the age of 21 years, and the trier of fact finds that the person had consumed an alcoholic beverage and was driving a Vehicle with a blood-alcohol concentration of 0.01 percent or greater, as measured by a preliminary alcohol screening test or other chemical test.

Commentary: This provision is generally based on California Vehicle Code Section 23136. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 11.103 Driving under the Influence Causing Injury

1. It is unlawful for any person while under the influence of any alcoholic beverage or drug, to drive a Vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the Vehicle, which act or neglect proximately causes bodily injury to any person other than the Driver.
2. An Officer under this circumstance shall detain all parties involved, request any needed medical services, secure the scene and notify the appropriate state authority.

Commentary: This provision is generally based on California Vehicle Code Section 23153. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 11.104 Possession and Open Drug Container **Including Cannabis**

No Driver or passenger shall possess or be under the influence of any alcoholic beverage or cannabis or other drugs while in a Motor Vehicle upon the Reservation or have an unsealed or open container of the same with any of the contents displaced, except as authorized by California law.

Commentary: This provision is generally based on California Vehicle Code Section 23222. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 11.105 Minor Possession of Alcohol in Motor Vehicle

No person under the age of 21 years shall knowingly drive any Motor Vehicle carrying any alcoholic beverage.

Commentary: This provision is generally based on California Vehicle Code Section 23224. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

All violations of the alcohol and drug related provisions of this Code may be turned over to State of California jurisdiction to be handled concurrently. Transportation, sales and other specific drug related charges shall be handled by the State of California.

CHAPTER 12 - SAFETY RESTRAINTS AND REQUIREMENTS

Section 12.101 Safety Belt Use Required

Each occupant of a Motor Vehicle manufactured with safety belts in compliance with Federal Motor Vehicle Safety Standards Number 208 shall have a safety belt properly fastened about his or her body at all times when the Vehicle is in motion.

Commentary: This provision is generally based on California Vehicle Code Section 27315. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 12.102 Child Safety Restraints

No Driver may transport a child in a passenger Vehicle or Motor truck who is under the age of eight (8) years of age without providing and properly using, for each child, a child passenger restraint system meeting the applicable Federal Motor Vehicle Safety Standards.

Commentary: This provision is generally based on California Vehicle Code Section 27360. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 12.103 Unattended Vehicle

1. A parent, legal guardian, or other person responsible for a child who is 12 years of age or younger may not leave that child inside a Motor Vehicle without being subject to the supervision of a person who is 15 years of age or older, under either of the following circumstances:

- (a) Where there are conditions that present a significant risk to the child's health or safety.
- (b) When the Vehicle's engine is running or the Vehicle's keys are in the ignition.

2. No animal shall be left unattended in a Vehicle as so that animal is exposed to excessive heat or otherwise which would negatively impact the health and welfare of the animal.

Commentary: This provision is generally based on California Vehicle Code Section 15620. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 12.104 Persons Riding in Back of Truck

1. No person driving a pickup truck or a flatbed Motor truck on a Highway shall transport any person in or on the back of the truck.

2. No person shall ride in or on the back of a truck or flatbed Motor truck being driven on a Highway.

Commentary: This provision is generally based on California Vehicle Code Section 23116. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 12.105 Animal Riding in Back of a **Flatbed** Truck

No person driving a Motor Vehicle shall transport any animal in the back of the Vehicle in a space intended for any load on the Vehicle on a Highway unless the space is enclosed or has side and tail racks to a height of at least 46 inches extending vertically from the floor and the Vehicle has installed means of preventing the animal from being discharged, and / or the animal is cross tethered to the Vehicle or is protected by a secured container or cage, in a manner which will prevent the animal from being thrown, falling, or jumping from the Vehicle.

Commentary: This provision is generally based on California Vehicle Code Section 23117. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 13 - EQUIPMENT OF VEHICLES

Section 13.101 Equipment Required

No person shall drive any Motor Vehicle (except a Motorcycle) on a Highway which does not have the following safety equipment in proper condition and adjustment:

1. **“Bumpers”** Every Motor Vehicle shall be equipped with two (2) bumpers maintained in good condition.
2. **“Headlights”** Every Motor Vehicle shall be equipped with at least two (2) headlights which shall be maintained in working order.
3. **“Horn”** Every Motor Vehicle shall be equipped with a horn in working condition.
4. **“Flasher Lights”** Every Motor Vehicle shall be equipped with flasher mechanisms in working order for turn signals and used as vehicular hazard signals.
5. **“Muffler”** Every Motor Vehicle shall be equipped with a muffler in good working condition.
6. **“Mirror”** Every Motor Vehicle shall be equipped with two mirrors so located as to reflect a view of the Highway at least two hundred (200) feet to the rear of the Vehicle.
7. **“Parking Brakes and Service Brakes”** Every Motor Vehicle shall be equipped with Parking brakes adequate to hold the Vehicle on any grade. Every Motor Vehicle must have service brakes adequate to control the movement of, and to stop and hold, such Vehicle on any grade incident to its operation.
8. **“Reflectors”** Every Motor Vehicle and bicycle shall be equipped with reflectors required as warning devices.
9. **“Stop Lamps”** Every Motor Vehicle shall be equipped with at least two (2) tail lamps mounted on the rear, which shall emit a red light which shall be visible upon application of the brakes.
10. **“Taillights”** Every Motor Vehicle shall be equipped with at least two (2) taillights plainly visible from all distances within five hundred (500) feet of the rear.
11. **“Turn signals”** Every Motor Vehicle must be equipped with turn signal lights used to give a signal of intention to turn right or left by projecting a flashing white or amber light visible to the front and a flashing red or amber light visible to the rear.
12. **“Windshield”** Every Motor Vehicle shall be equipped with a front windshield free from defects or cracks and in such condition as to permit the Driver a clear view.
13. **“Windshield Wipers”** Every Motor Vehicle shall be equipped with windshield wipers in good working order.

Section 13.102 Bald Tires

Every Motor Vehicle shall be equipped with tires in safe operating condition. No tire shall have exposed cord, bumps, bulges, or knots, affecting the tire structure, or any condition that reasonably demonstrates that the tire is unsafe.

Commentary: This provision is generally based on California Vehicle Code Section 27465. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 13.103 Use of Multiple-Beam Headlights

Whenever a Motor Vehicle is being operated on a Highway during the hours of “darkness,” that is, any time from one-half hour after sunset to one-half hour before sunrise, and any other time when visibility is not sufficient to render clearly discernible any person or Vehicle on the Highway at a distance of one thousand (1,000) feet, the Driver shall use a beam sufficient to reveal persons and Vehicles at a safe distance in advance of the Vehicle, subject to these requirements:

1. Whenever a Driver of a Motor Vehicle approaches an oncoming Vehicle within five hundred (500) feet, such Driver shall use low beams.
2. Whenever a Driver of a Motor Vehicle approaches another Vehicle from the rear within three hundred (300) feet, such Driver shall use low beams.

Commentary: This provision is generally based on California Vehicle Code Section 24409. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 13.104 Vehicle Body Projections

The wheels, body, fenders, and bumpers of all Vehicles shall be maintained without protrusions from the fenders, body or bumpers.

Commentary: This provision is generally based on California Vehicle Code Section 27600. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 13.105 Material Obstructing Driver’s View

1. A person shall not drive any Motor Vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield or side or rear windows.
2. A person shall not drive any Motor Vehicle with any object or material placed, displayed, installed, affixed, or applied in or upon the Vehicle that obstructs or reduces the Driver’s clear view through the windshield or side windows.
3. This subdivision applies to a person driving a Motor Vehicle with the Driver’s clear vision through the windshield, or side or rear windows, obstructed by snow or ice.

Commentary: This provision is generally based on California Vehicle Code Section 26708. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 13.106 Sound Amplification Devices

No Driver of a Vehicle shall operate, or permit the operation of, any sound amplification system which can be heard outside the Vehicle from 50 or more feet when the Vehicle is being operated upon a Highway, unless that system is being operated to request assistance or warn of a hazardous situation.

Commentary: This provision is generally based on California Vehicle Code Section 27007. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 13.107 Unlawful Operation after Notice by Officer

No person shall operate any Vehicle or combination of Vehicles after notice by an Officer that the Vehicle is in an unsafe condition or is not equipped as required by this code, except as may be necessary to return the Vehicle or combination of Vehicles to the residence or place of business of the Owner or Driver or to a garage, until the Vehicle and its equipment have been made to conform with the requirements of this Code.

Section 13.108 Notice to Correct Violation

1. If, after an accident investigation, or other law enforcement action, it appears that a infraction has occurred involving a registration, license, all-terrain Vehicle safety certificate, or mechanical requirement of this code, and the investigating Officer decides to take enforcement action, the Officer shall prepare, in triplicate, and the violator shall sign, a written notice containing the violator's promise to correct the alleged violation and to deliver proof of correction of the violation to the Court.

2. Any person willfully violating a written promise to correct or willfully failing to deliver proof of correction of the violation is guilty of a misdemeanor.

CHAPTER 14 - MOTORCYCLE AND OFF ROAD VEHICLES

Section 14.101 Motorcycle and Off Road Vehicles Defined

1. **“Motorcycle”** is a Motor Vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground.
2. **“Off-Highway Motorcycle”** means a Motorcycle or Motor-driven cycle is to and includes a quad or three wheel Vehicle which is designed to be driven off-highway and is not subject to licensing.

Section 14.102 Motorcycle Safety Equipment

No person shall drive or move any Motorcycle which does not have the following safety equipment in proper working condition and adjustment:

1. Brakes,
2. Headlights,
3. Reflectors,
4. Stop lamps,
5. Taillights,
6. Mirrors,
7. Foot rest for Driver and passenger,
8. Handlebars which are below shoulder height, and
9. Horn.

Commentary: This provision is generally based on California Vehicle Code Section 27801. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 14.103 Headlights and Taillights Required to be on.

Every Motorcycle shall have its headlights and taillights on whenever such Vehicle is in motion on any Highway.

Commentary: This provision is generally based on California Vehicle Code Section 25650. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 14.104 Exhaust System

No person shall modify the exhaust system of a Motorcycle in a manner, or fail to maintain the exhaust system, so as to amplify or increase the noise above the level emitted by the muffler originally installed on the Motorcycle.

Commentary: This provision is generally based on California Vehicle Code Section 27150. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 14.105 Helmet and Eye Protection

No person shall drive or ride as a passenger on any Motorcycle without wearing a helmet and goggles or a face shield which protects the head and eyes.

CHAPTER 15 – BICYCLES

Section 15.101 Bicycles

“Bicycle” is a device upon which any person may ride, propelled forward with human power through a belt, chain, or gears, and having one or more wheels, including electronic bikes. Persons riding bicycles are subject to the provisions of California Vehicle Code Section 21200.

Commentary: This provision is generally based on California Vehicle Code Section 21200. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 15.102 Law Applicable to Bicycles

Every person riding a bicycle upon a Highway has all the rights and is subject to all the provisions applicable to the Driver of a Vehicle by this division.

Commentary: This provision is generally based on California Vehicle Code Section 21200. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 15.103 Equipment Requirements

1. Brakes, which will make braked wheel skid on dry pavement;
2. Handlebars;
3. Seat properly adjusted so f may touch ground; and
4. A white light in front and red on rear of Bicycle when riding when dark.

Section 15.104 Operation on Roadway

Any person operating a Bicycle upon a Roadway at a speed less than the normal speed of Traffic moving in the same direction at that time shall ride as close as practicable to the right curb or edge of the Highway.

Commentary: This provision is generally based on California Vehicle Code Section 21202. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 15.105 Hitching Rides

No person riding upon any Motorcycle, Motorized Bicycle, Bicycle, coaster, roller skates, sled, or toy Vehicle shall attach the same or himself to any Streetcar or Vehicle.

Commentary: This provision is generally based on California Vehicle Code Section 21203. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 15.106 Riding on a Bicycle

1. No person operating a Bicycle upon a Highway shall ride other than upon or astride a permanent and regular seat attached.

2. No operator shall allow a person riding as a passenger, and no person shall ride as a passenger, on a bicycle upon a Highway other than upon or astride a separate seat attached.

Commentary: This provision is generally based on California Vehicle Code Section 21204. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 15.107 Youth Helmets

A person shall not operate or ride upon as a passenger, a Bicycle, a non-motorized scooter, a skateboard, nor in-line or roller skates, upon any Highway or area designated for riding, unless wearing a helmet.

Commentary: This provision is generally based on California Vehicle Code Section 21212. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

CHAPTER 16 - PARKING

Section 16.101 Stopping, Standing or Parking Interference with Traffic on Road

No person shall stop, Park or leave Standing any Vehicle so as to interfere with Traffic on the travel portion of any Highway. This shall not apply to the Driver of any Vehicle which is disabled to the extent that it is impossible to avoid temporarily leaving the Vehicle in such position, provided that the Driver shall arrange for prompt removal of the Vehicle.

No person shall stop, Park, or leave Standing any Vehicle, except momentarily to pick up or unload a passenger:

1. In front of any driveway as to block exit of the Owner.
2. Facing the wrong direction of that side of the Roadway or Highway.
3. Within fifteen (15) feet of a fire hydrant.
4. On any crosswalk.
5. On any sidewalk or drive on same.
6. On any Highway when stopping, Standing or Parking would obstruct the flow of Traffic in any direction.
7. In any area posted "No Parking."
8. In any Fire Lane.
9. Any place where official signs or markings prohibit stopping, Standing, or Parking.

Commentary: This provision is generally based on California Vehicle Code Section 22500. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.

Section 16.102 Curb and Highway Surface Markings

No person shall Park a Motor Vehicle in violation of the following markings:

1. **Red** indicates no stopping, Standing, or Parking, whether the Vehicle is attended or unattended; except that a bus may stop in a red zone marked or sign posted as a bus loading zone.
2. **Yellow** indicates stopping only for the purpose of loading or unloading passengers or freight for the time as may be specified.
3. **White** indicates stopping for either of the following purposes of loading or unloading of passengers for the time specified or depositing mail.
4. **Green** indicates time limit Parking as specified.
5. **Blue** indicates Parking limited exclusively to the Vehicles of disabled persons and disabled veterans. The Vehicle must display in plain view on the dash a placard indicating the same with an applicable time limit or a license plate indicating the same.

CHAPTER 17 - VEHICLE STORAGE AND IMPOUND

Section 17.101 Vehicle Storage and Impound General Provisions

An Officer may remove a Motor Vehicle from a Highway or from public or private property under the following circumstances:

1. When a Vehicle is Parked or left Standing upon a Highway in a position so as to obstruct the normal movement of Traffic or in a condition so as to create a hazard to other Traffic upon the Highway.
2. When a Vehicle is found upon a Highway or public land and a report has previously been made that the Vehicle is stolen or a complaint has been filed and a warrant thereon is issued charging that the Vehicle is embezzled.
3. When a Vehicle is illegally Parked so as to block the entrance to a private driveway and it is impractical to move the Vehicle from in front of the driveway to another point on the Highway.
4. When a Vehicle is illegally Parked so as to prevent access by firefighting equipment to a fire hydrant and it is impracticable to move the Vehicle from in front of the fire hydrant to another point on the Highway.
5. When the person in charge of a Vehicle upon a Highway or public land is, by reason of physical injuries or illness, incapacitated to an extent so as to be unable to provide for its custody or removal.
6. When a Vehicle is Parked or left Standing upon a Highway for 72 or more consecutive hours in violation of a local Code authorizing removal.
7. When an Officer arrests a person driving or in control of a Vehicle for an alleged offense and the Officer is, by this Code or other law, required or permitted to take, and does take, the person into custody.
8. When an Officer serves a notice of an order of suspension or Revocation and there is not another licensed Driver to release the Vehicle.
9. When an Officer issues a citation for driving on a suspended license or the Driver is an unlicensed Driver and there is not another licensed Driver to take possession of the Vehicle.
10. When any Vehicle is found upon a Highway or public or private property and an Officer has probable cause to believe that the Vehicle was used as the means of committing a public offense.
11. When any Vehicle is found upon a Highway or public or private property and a peace Officer has probable cause to believe that the Vehicle is itself evidence which tends to show that a crime has been committed or that the Vehicle contains evidence, which cannot readily be removed, which tends to show that a crime has been committed.
12. When the Vehicle involved has been involved in a hit and run accident whether or not the Vehicle is on public or private property and an Officer has probable cause to believe that the Vehicle was involved in the accident.

13. When any Vehicle is found upon a Highway or public or private property and an Officer has probable cause to believe that the Vehicle was used as the means of committing a public offense.

14. When any Vehicle is found upon a Highway or public or private property and a peace Officer has probable cause to believe that the Vehicle is itself evidence which tends to show that a crime has been committed or that the Vehicle contains evidence, which cannot readily be removed, which tends to show that a crime has been committed.

15. When the Vehicle involved has been involved in a hit and run accident whether or not the Vehicle is on public or private property and an Officer has probable cause to believe that the Vehicle was involved in the accident.

Commentary: This provision is generally based on California Vehicle Code Section 22655. If there is any conflict between this provision and the California Vehicle Code, this Code shall supersede the California Vehicle Code.