

CHAPTER 12-7
TRAFFIC CONTROL SIGNS, SIGNALS AND DEVICES

12-7-1

OBEDIENCE

No person shall violate any rule, regulation, traffic direction, sign or marking adopted, prescribed, or established in accordance with the provisions of this title.

Legislative History:
Ordinance No. 5, Article VII,
§114, 3/11/74.

Authority:
SDCL Ch. 32-28 and 9-31.

12-7-2

NECESSITY OF SIGNS

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

Legislative History:
Ordinance No. 5, Article VII,
§115, 3/11/74.

Authority:
SDCL Ch. 32-28 and 9-31.

12-7-3

**INTERFERENCE WITH SIGNS; UNAUTHORIZED SIGNS
AND SIGNALS**

No person shall wilfully deface, injure, move, obstruct or interfere with any official traffic sign or signal. No person shall place or maintain or display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles any official traffic sign or signal, or which attempts to direct the movement of traffic. Every such prohibited sign, signal or device is declared to be a public nuisance and the chief of police is empowered to cause it to be removed without notice.

Legislative History:
Ordinance No. 5, Article VII,
§116, 3/11/74.

Authority:
SDCL Ch. 32-28 and 9-31

12-7-4

**TRAFFIC CONTROLLED BY "GO", "CAUTION" OR "STOP"
LIGHTS**

Whenever traffic is controlled by traffic control signals exhibiting the words "go", "caution", or "stop" or exhibiting different colored lights successively one at a time, or with arrows, only the colors mentioned in SDCL §32-28-2 to §32-38-5 inclusive, shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians.

In the event an official traffic control signals is erected and maintained at a place other

than an intersection, the provisions of SDCL §32-28-1 to §32-28-5, inclusive, shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-1.

12-7-5

MEANING OF GREEN OR "GO" SIGNALS

A green light alone or "GO" shall indicate that:

- A. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
- B. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-2.

12-7-6

MEANING OF STEADY YELLOW LIGHT

A steady yellow light alone shall indicate that:

- A. Vehicular traffic facing the signal is thereby warned that the red or "stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter the intersection when the red or "stop" signal is exhibited.
- B. Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-3.

12-7-7

MEANING OF STEADY RED LIGHT OR "STOP" SIGNAL

A steady red light alone or "stop" shall indicate that:

- A. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "go" is shown alone, except as hereinafter provided.
- B. The driver of any vehicle which is stopped as close as practicable at the entrance to the crosswalk and to the far right side of the roadway, then at the entrance to the intersection in obedience to a red or "stop" signal, may make a right turn but shall yield the right-of-way to any pedestrian and other traffic

proceeding as directed by the signal at the intersection. This provision permitting a right turn after a stop when facing a steady red light alone or "stop" signal shall not be effective if any local ordinance prohibits such turn and if a sign is erected at such intersection giving notice thereof.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-4

12-7-8

LEFT TURN ON RED: LOCAL OPTION

The governing body of a municipality may authorize by ordinance, adopted pursuant to SDCL Chapter 9-19, a motor vehicle to make a left hand turn from an intersection after stopping in obedience to a red or "stop" signal as defined in SDCL § 32-28-4. This left hand turn may only be authorized for a motor vehicle which has stopped in the extreme left hand lane lawfully available on a one way roadway and intends to turn on to a one way roadway in which the traffic is moving to the left of the motor vehicle. In addition such turns may only be made after yielding the right-of-way to pedestrians or other traffic proceeding as directed by the signal at the intersection. A violation of such restrictions is a petty offense.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-4.1.

12-7-9

MEANING OF STEADY RED LIGHT WITH GREEN ARROW

A steady red light with green arrow shall indicate that:

- A. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.
- B. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-5.

12-7-10

FLASHING RED OR YELLOW SIGNAL

If an illuminated flashing red or yellow signal is used in a traffic sign or signal, vehicular traffic shall obey such signal as provided in SDCL §§ 32-28-7 and 32-28-8. A violation of this ordinance is a Class 2 misdemeanor.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-6.

12-7-11

MEANING OF FLASHING RED SIGNAL

If a red lens is illuminated and rapid intermittent flashes, drivers of vehicles shall stop

before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed is subject to the laws applicable after making a stop at a stop sign. A violation of this section is a Class 2 misdemeanor.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-7.

12-7-12

MEANING OF FLASHING YELLOW SIGNAL

If a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. A violation of this section is a Class 2 misdemeanor.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-8.

12-7-13

LANE DIRECTION CONTROL SIGNALS

When lane direction control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-8.1.

12-7-14

SIGNALS AT RAILWAY GRADE CROSSINGS

Sections §12-7-12 and §12-7-13 shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in SDCL §32-29-4.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-9.

12-7-15

PEDESTRIAN CONTROL SIGNALS: VIOLATIONS BY DRIVER AS PETTY OFFENSE

Whenever special pedestrian control signals exhibiting the words "walk" or "don't walk" or exhibiting a lighted white or red international pedestrian symbol are in place such signals shall indicate as follows:

- A. Walk or a lighted white international pedestrian symbol. Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- B. Don't walk or a lighted red international pedestrian symbol. No pedestrian may start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the "don't walk" signal or lighted red international pedestrian symbol is showing.

Violations of this Ordinance, whether by a driver or by a pedestrian, are punishable by a fine or by imprisonment, or both, as established in 1-10-1 of the Brandon Municipal Code.

Legislative History:
1990 Revisions.
Ordinance No. 271, 9/7/98

Authority:
SDCL §32-28-9.1.

12-7-16

OTHER TRAFFIC CONTROL DEVICES: DIRECTIONS BY POLICE OFFICERS

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, and subject to the exceptions granted the driver of an authorized emergency vehicle in SDCL §32-26-15.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-10.

12-7-17

REQUIREMENTS THAT OFFICIAL SIGNAL BE IN PROPER POSITION AND LEGIBLE

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-11.

12-7-18

CONTROL WITHOUT SIGNS WHERE NOT REQUIRED

Whenever a particular section of this chapter does not state that signs are required, such section shall be effective even though no signs are erected or in place.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-12.

12-7-19

TRAFFIC LIGHT CONTROL BY LAW ENFORCEMENT OFFICERS

Nothing in this chapter shall be deemed to limit, or encroach upon, the existing authority of South Dakota law enforcement officers in the performance of their duties involving traffic light control.

Legislative History:
1990 Revisions.

Authority:
SDCL §32-28-13.