

CHAPTER 12-19 MOTOR VEHICLES

12-19-1 TAMPERING WITH VEHICLES

No person shall tamper with the motor vehicle of another, with intent to injure the same or cause inconvenience to the owner thereof, or shall take and operate the motor vehicle of another without the consent of the owner or person lawfully in charge thereof, under such circumstances as not to constitute larceny.

Legislative History:
Ordinance No. 6, Article I,
§1, 4-8-74.

Authority:
SDCL § 9-29-3, for more
information see § 32-3-51.9
which contains a "damage
definition."

12-19-2 WARNING TICKETS

The police, upon reasonable belief that a vehicle is being operated in violation of any provision of this code, the traffic ordinance of the City or applicable state law or if in such unsafe condition as to endanger any person, may require the driver of the vehicle to stop and submit to inspection of the vehicle and its equipment, license plates and registration card. The police are hereby authorized to issue a warning ticket to any driver whose vehicle is in violation of any of the provisions of this article, the traffic ordinances of the City or applicable state law. Such warning tickets shall clearly designate the provisions which are being violated and shall provide for notification to the police department when such violation is corrected, the time specified on the warning ticket. The form and content of the warning ticket shall be at the discretion of the Chief of Police.

Legislative History:
Ordinance No. 6, Article II,
§6, 4-8-74.

Authority:
Try SDCL § 9-29-18.

12-19-3 LIGHTS REQUIRED

A motor vehicle in motion, during the period from half an hour after sunset to half an hour before sunrise, shall display at least two (2) lighted lamps on the front and two (2) lighted lamp on the rear of such motor vehicle, such lamps to conform to the state law; provided that a motorcycle or a motor bicycle shall be required to display but one (1) lighted lamp in front and one (1) lighted lamp in the rear.

Legislative History:
Ordinance No. 6, Article II,
§7, 4-8-74.

Authority:
Try SDCL Ch. 32-17.

12-19-4 HEAD LIGHT DIMMED

No person shall use head lights upon any vehicle on any street unless the same are

dimmed in such a way as to prevent the light from being dazzling or blinding to persons using the streets or when meeting or overtaking another vehicle.

Legislative History:
Ordinance No. 6, Article II,
§8, 4-8-74.

Authority:
SDCL § 9-32-1; See
Also Ch. 32-17,
Specifically § 32-17-7.

12-19-5

WARNING DEVICES

Every motor vehicle operated or driven in the City shall be provided with a horn for signaling which shall be in good working order at all times such vehicle is operated on the streets of the City.

Legislative History:
Ordinance No. 18, §2, 7/22/74.

Authority:
SDCL § 32-15-10.

12-19-6

EMERGENCY VEHICLE WARNING DEVICE

Every police and fire department and fire patrol vehicle and every ambulance used for emergency calls shall be equipped with a bell, siren or exhaust whistle. It shall be unlawful for any other vehicle to be equipped with, or for any person to use upon a vehicle, any siren, or any compression spark plug whistle, or any exhaust horn, or any whistle which produces a harmonious sound.

Legislative History:
Ordinance No. 6, Article II,
§10, 4/8/74.

Authority:
SDCL §§ 32-15-12 and
9-31-1.

12-19-7

RED, BLUE LIGHTS

Except as to police or fire departments, or fire patrol vehicles operating under such circumstances as may be provided by law, any person who drives or moves any vehicle upon a highway with any red or blue light thereon visible from directly in front or to the sides thereof shall be guilty of a violation of this ordinance.

Legislative History:
Ordinance No. 6, Article II,
§11, 4/8/74.

Authority:
SDCL §§ 32-17-9.

12-19-8

BRAKES

Every motor vehicle shall be provided with foot pedal brakes in good working order and sufficient to control such motor vehicle at all times when same is in use.

Legislative History:
Ordinance No. 6, Article II,
§12, 4/8/74.

Authority:
SDCL Ch. 32-18.

12-19-9

MUFFLERS

No person shall drive a motor vehicle on any street within the City unless such vehicle is equipped with a muffler in good working order and in constant operation.

Legislative History:
Ordinance No. 18, §3, 7/22/74.

Authority:
SDCL § 32-15-17; Also
see Ch. 9-31 generally.

12-19-10

PROJECTING LOADS

No person shall drive any vehicle upon any street with any load or part of a load projecting more than four (4) feet beyond the rear end or front end, or more than two (2) feet beyond the sides of the body, or carrying part of such vehicle, unless there be attached to the extreme ends and sides of such projecting load some warning sign or signal plainly discerning to other drivers and clearly indicating the projecting parts of such load.

Legislative History:
Ordinance No. 18, §14, 7/22/74.

Authority:
SDCL §§ 9-31-1, 9-32-1.

12-19-11

CLEATED, SPIKED TIRES

No tire on a vehicle moved on a street within the City shall have on its periphery any block, stud, flange, cleat, spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid subject to the following provisions:

- A. Notwithstanding the foregoing, it shall be lawful to operate, upon the highways of this City, motor vehicles equipped with pneumatic tires in which there are embedded metal studs or wires of tungsten steel or other similar metals, in accordance with the laws of the State of South Dakota.
- B. No person shall operate or move any tractor engine, tractor or other vehicles exceeding ten thousand pounds in weight having wheels to the surface of which are attached mud lugs, ice spurs, spikes, or long chains upon or across any street that is surfaced with paving or any other hard surfaced material, without first laying plank of at least two (2) inches thickness over the surface of such street in a manner so as to protect such street from contact with said vehicle.

Legislative History:
Ordinance No. 6, Article II,
§15, 4/8/74.

Authority:
SDCL § 32-19-2 and Ch. 9-31;
Specifically § 9-31-1.

12-19-12

WEIGHT AND SIZE OF VEHICLE AND LOADS

No person shall drive or operate any vehicle upon any street the gross weight of which including the load or the size of which do not comply with the requirements of the state law governing such vehicle.

Legislative History:
Ordinance No. 6, Article II,
§16, 4/8/74.

Authority:
SDCL Ch. 9-31 and 32-22.

12-19-13

WINDSHIELDS MUST BE UNOBSTRUCTED

It shall be unlawful for any person to drive any vehicle upon a public street with the front windshield obstructed or with any sign, poster, or other non-transparent material, or frost or snow, upon the front windshield, side wings, side or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law in a low area or other temporary driving instructions placed thereon by the manufacturer.

Legislative History:
Ordinance No. 6, Article II,
§17, 4/8/74.

Authority:
SDCL §§ 32-15-5, 9-31-1.

12-19-14

PROTECTION OF LOAD

No vehicle shall be driven or moved on any street or highway in the City unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or suppression of dust and dirt.

No person shall operate on any street or highway in the City any vehicle with any load unless said load and any covering is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

Legislative History:
Ordinance No. 6, Article II,
§18, 4/8/74.

Authority:
SDCL §§ 9-31-1, 9-32-1.