

CITY OF WALTHAM MASSACHUSETTS

TRAFFIC, PARKING AND TRANSPORTATION REGULATIONS

This is a compilation of the Traffic Rules and Regulations adopted by the Traffic Commission of the City of Waltham pursuant to Chapter 93 of the Acts of 1965 of the Great and General Court of Massachusetts, as amended by Chapter 177 of the Acts of 1972, by Chapter 143 of the Acts of 1976, by Chapter 421 of the Acts of 1986 and by Chapter 689 of the Acts of 1986, and by Chapter 117 of the Acts of 1998. Unless otherwise indicated, all regulations included herein, which were adopted prior to April 1987, were approved by the Massachusetts Department of Public Works under Permit No. B-662, July 1969. In some instances, the date of adoption of the regulation by the Traffic Commission is shown by a notation such as "TC month/year"

A TRUE COPY ATTEST:

Frank S. Lombardo, Clerk of the Commission.

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ARTICLE 1 IN GENERAL

Art. 1 Sec. 1 CONSTRUCTION OF DEFINITIONS OF WORDS AND PHRASES

The following words and phrases when used in these regulations shall for the purpose of these regulations have the meanings respectively ascribed to them in this article, except in those instances where the context clearly indicates a different meaning. Whenever any words and phrases used herein are not defined in the State laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein.

Art.1 Sec. 2 DEFINITIONS

ABANDONED BICYCLE A bicycle with one or more of the following defects that can be removed by the City Consolidated Public Works Department and/or Police Department for public safety and maintenance purposes (a) No tires or wheels (b) Have warped wheels or frame (c) missing, rusted or broken chain in such a state that renders the bicycle inoperative (d) Missing or warped handle bars (See Article 4 Section 13)

ALLEY OR ALLEYWAY

A private road serving as a secondary means of access to two or more pieces of property, but not as a primary means of access to any property.

AUTHORIZED EMERGENCY VEHICLE

Vehicles of the Police, Fire and Emergency Management Departments, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Traffic Commission. (See Emergency Vehicles)

BICYCLE

Every device propelled by human power upon which any person may ride, having no more than two tandem wheels either of which is 8" or more in diameter.

BIKE PATH

A route for the exclusive use of non motorized modes of traffic separated by grade or other physical barrier from other vehicles.

BIKE LANE

A lane on a street restricted to bicycles and so designated by means of pavement coloring, lines or other appropriate markings.

BIKE ROUTE

A roadway shared by both bicycles and other forms of transportation, may be designated by means of signs and/or pavement markings.

BICYCLE PARKING FACILITY

Any facility for the temporary storage of bicycles which allows the frame and one or both wheels to be locked so as to minimize the risk of theft and vandalism.

BUS

Every vehicle designed for carrying more than 9 passengers and used primarily for the transportation of persons either for compensation, as a service, or as an adjunct to a school program.

BUS STOP

An area in the roadway adjacent to the curb or edge of roadway, set aside for the boarding of or alighting from buses and the parking of buses.

BUS STAND

An area in the roadway adjacent to the curb or edge of roadway, set aside for the parking or layover of buses.

BUSINESS DISTRICT

The territory contiguous to any way, which is built up with structures devoted to business.

CHANNELIZING ISLAND

A traffic island located to guide traffic streams along certain definite paths and to prevent the promiscuous movement of vehicles in what would otherwise be a widely extended roadway area.

COMMERCIAL VEHICLE

A motor vehicle used in commerce designed or used to transport passengers or property which has a gross weight rating of 26,000 and one or more pounds or such lesser rating as determined by federal regulation, or which is designed to transport more than 16 passengers, including the driver; or which transports hazardous materials and is required to be placarded in accordance with 49 CFR part 172, subpart F; and shall include any vehicle described in regulations promulgated by the registrar that adopt the applicable federal regulations.

COMMERCIAL VEHICLE, HEAVY

Any vehicle which is used in the commercial transportation of goods, wares, merchandise or materials, and which has, in the case of use on main highways, a carrying capacity of 5 tons, or over, and in the case of all other ways, a carrying capacity of 2 ½ tons or over.

COMMUNITY SERVICES DIVISION

A division of the Police Department of the City.

CONTRA-FLOW BICYCLE LANE

An exclusive travel lane for bicycles, marked with appropriate pavement markings permitting bicycle travel in the opposite direction from the generally permitted motor vehicle traffic on a street.

CROSSOVER

An opening in a channelizing island that connects both sides of a divided highway.

CROSSWALK

That portion of a roadway ordinarily included within the prolongation or continuation of curb lines and property lines at intersections, or at any portion of the roadway clearly

indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

CURB LOADING ZONE

A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of materials and/or persons.

CURB MARKING, OFFICIAL

That portion of a curbing, the painting of which has been authorized by the Traffic Commission.

DISABLED VETERAN (DV) PLATE VEHICLE

A vehicle bearing a distinctive number plate authorized by Massachusetts General Laws, Chapter 90, Section 2.

DIVIDED HIGHWAY

A highway with separated roadways for traffic in opposite directions.

DRIVEWAY

A private road serving as a means of a vehicular access to a parcel of land abutting a highway or street.

ELECTRONIC PERSONNAL ASSISTIVE MOBILITY DEVICE

A motorized self-balancing device that transports an individual standing on a platform between two wheels and including an upright handle.

EMERGENCY ARTERY

Any major street or highway designated by the Traffic Commission as part of the arterial system of streets or highways for the City.

EMERGENCY COMMUNICATIONS DIVISION

The 911 Emergency Dispatch Center Division of the Police Department.

EMERGENCY VEHICLES

Vehicles of the Fire Department, Police Department vehicles, ambulances and emergency vehicles of federal, state or municipal departments or public service corporations when the latter are responding to an emergency in relation to the Police or Fire Departments.

FIRE LANE

That portion of a public way or private parking lot, private driveway or private road which is designed to provide access of fire trucks to any building or location and which is specifically posted as such.

FUNERAL

Any procession of mourners properly identified as such accompanying the remains of a human body.

HANDICAP PLACARD VEHICLE

A vehicle properly displaying a handicap placard issued by the Registry of Motor Vehicles, Commonwealth of Massachusetts, pursuant to Massachusetts General Laws, Chapter 90, Section 2.

HANDICAP (HP) PLATE VEHICLE

A vehicle bearing a distinctive number plate authorized by Massachusetts General Laws, Chapter 90, Section 2.

INLINE SKATES

Any shoe with an attachment of four or more wheels aligned in a linear fashion.

INTERSECTION

The area embraced within the extensions of the lateral curb lines, or, if none, then the lateral boundary lines, of intersecting ways as defined in Massachusetts General Laws, Chapter 90, Section 1, including divided ways. The Rules and Regulations herein contained governing and restricting the movement of vehicles at or near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signals whether or not such place is an intersection as herein defined.

LANE

A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles, whether or not such lane is indicated by pavement markings or longitudinal construction joints.

LANED ROADWAY

A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

LOADING ZONE

An area in the roadway set aside for the temporary use only of motor vehicles for the purpose of and while actually loading or unloading.

MOTORIZED SCOOTER

A vehicle consisting of any two wheeled device that has handlebars or other steering device, designed to be stood or sat upon by the operator, which is powered by a motor and not defined as a “motor vehicle” or a “motorized bicycle” under Massachusetts General Laws, Chapter 90, except that an electronic personal assistive mobility device or other mobility device for a person with disabilities shall not be considered a motorized scooter under this section.

MOTOR VEHICLE

All motorized conveyances or vehicles that are subject to Massachusetts General Laws Chapter 90 except as may otherwise herein be defined.

MULTI - SPACE PARKING METER

A device for the acceptance of required parking fees for more than one parking stall. A multi-space meter may regulate parking spaces on-street (curbside, parallel, or angled spaces) and off-street (parking lots or garages).

MULTI - SPACE PARKING METER SPACES

Any parking space designated or not, where at least one posted sign states requirement for payment at a multi-space meter.

OFFICER – See POLICE OFFICER OR OFFICERS

OFFICIAL CURB MARKING

That portion of a curbing, the painting of which has been authorized by the Traffic Commission that has been painted under the direction of the Traffic Commission, for the purpose of directing or regulating traffic, in accordance with law or with any action of the Traffic Commission taken under Chapter 93.

OFFICIAL STREET MARKING

Any painted line, legend, marking or marker of any description painted or placed upon any way by authority of law of Chapter 93 or the Traffic Commission acting hereunder, which purports to direct or regulate traffic or which has the written approval of the MassDOT.

OFFICIAL TRAFFIC CONTROL DEVICES

All signs, signals, markings and devices not inconsistent with these rules and regulations, and which conform to the standards prescribed by the MassDOT and/or by the Federal Highway Administration Manual on Traffic Control Devices and/or The Institute of Transportation Engineers Reference Manuals” and which are placed or erected by authority of the Traffic Commission for the purpose of guiding, directing, warning, or regulating traffic.

PARKING

The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to an officer or traffic signs or signals, or while making emergency repairs or, if disabled, while arrangements are being made to move such vehicles.

PARKING CONTROL OFFICERS

Officers of the Parking Meter Division of Traffic Engineering, authorized to enforce all parking rules and regulations.

PAYMENT

Currency approved by the United States Government, manufactured by the Federal Reserve, which is accepted as legal tender for all public and private debts. This includes coins, paper currency and electronic currency (i.e. credit card, smart cards or other stored value cards) which has been approved by the Traffic Commission, for specially designed parking meters or electronic parking modules.

PEDESTRIAN

Any person afoot or riding on a conveyance moved by human muscular power, except bicycles, or tricycles, inline skates, scooters and skateboards.

PERSON

The word “person” shall mean and include every natural person, individual, firm, co-partnership, association or corporation.

POLICE OFFICER OR OFFICERS

Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrest for violations of traffic regulations, provided they are in uniform or displays their badge of office.

PRIVATE ROAD

Every way or place in private ownership and used for vehicle travel by the owner and those having express or implied permission from the owner, but not by other persons.

PRIVATE WAY

A private road furnishing the primary means of access to two or more parcels of land.

RAILROAD CROSSING

Any intersection of ways with a railroad right-of-way.

ROADWAY

That portion of a street or highway between the regularly established curb lines or, in the absence of curb lines that part of shoulders, improved and intended to be used for vehicular traffic.

ROTARY TRAFFIC

The counter clockwise operation of vehicles or a vehicle around an object, structure, or island in the roadway. May also be termed Traffic Circle or Roundabout.

SAFETY ZONE

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked with pavement markings or indicated by adequate signs, as to be plainly visible at all times while set apart as a safety zone placed under the authority of the Traffic Commission.

SCOOTER

A vehicle consisting of a long foot board between two small end wheels, aligned in a linear fashion, controlled by an upright steering handle attached to the front wheel, which is powered by a human.

SCHOOL ZONE

A School Zone as referred to in Massachusetts General Laws, Chapter 90, Section 17 shall only be construed to be that section of a way which abuts the grounds of a school and is posted and marked in accordance with MassDOT Standards to indicate the applicability of the statutory speed limits of 20 miles per hour for all vehicles in accordance with the terms permitted for the Zone (see Schedule 16)

SERVICE ZONE

An area in the roadway set aside for the accommodation of commercial and transient vehicular traffic.

SIDEWALK

That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

SKATEBOARD

A non-motorized vehicle consisting of a long foot board between 2 sets of wheels, with steering controlled by weight distribution.

SHARED STREET

A public right-of-way without a designated sidewalk, where users are permitted to use the entire public right-of-way.

SPEED HUMPS

A street surface condition consisting of gradual elevations 3 inches to 4 inches high at the midpoint and running 10 feet to 14 feet along the length of the street at the base with the one foot sections at each end tapered flush with the street surface to facilitate street drainage, positioned 200 to 400 feet apart and subject to such further design criteria as may be determined by the Traffic Engineer.

STAND OR STANDING

Means the halting of a vehicle, whether occupied or not, other than for the purpose of, and while actually engaged in receiving or discharging passengers; in obedience to a Police officer or traffic control device; or to avoid conflict with other traffic (Permit B-4961 5/83).

STOP

When required means complete cessation from movement.

STOP OR STOPPING

When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police officer or traffic-control sign or signal. Permit B-3683.

STREET OR HIGHWAY

The entire width between property lines of every way publicly maintained (repaired or plowed) when any part thereof is open to the use of the public for purposes of vehicular traffic.

STREET MARKING, OFFICIAL

Any painted or thermoplastic line, legend, marking or marker of any description painted upon any way which purports to direct or regulate traffic and which has been authorized by the Traffic Commission.

TAXICAB STAND

An area in the roadway in which certain taxicabs are required to park while waiting to be engaged.

TAXIMETER

Any instrument by which the charge for hire of a taxi is automatically calculated either for distance traveled or for waiting time or both and which indicates such charge by means of figures.

TRAFFIC

Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singularly or together while using any street or highway for purposes of travel.

TRAFFIC CALMING MEASURES

Physical road design elements intended to reduce vehicle speeds and improve driver attentiveness.

TRAFFIC CONTROL AREA

Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic-control signals.

TRAFFIC CONTROL SIGNAL

Any device using colored lights, which conforms to the standards as prescribed by the MassDOT and/or by the Federal Highway Administration Manual on Uniform Traffic Control Devices and/or The Institute of Transportation Engineers Reference Manuals. Whether manually, electrically, or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

TRAFFIC ENGINEER

The Engineer of the Traffic Engineering office as appointed by Traffic Commission.

TRAFFIC ENGINEERING

The office of Traffic Engineering of the City.

TRAFFIC ISLAND

Any area or space set aside, within or surrounded by a roadway, or within an off-street parking area controlled by the City, which is not intended for use by vehicular traffic.

TRAFFIC SIGNS, OFFICIAL

All signs, conforming to the standards as prescribed by Traffic Engineering not inconsistent with these rules and orders, placed or erected by authority of the Traffic Commission, for the purpose of directing or warning traffic.

U-TURN

The turning of a vehicle by means of a continuous turn whereby the direction of such vehicle is reversed.

VEHICLE(s)

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles and any attachments thereto when the provisions of these rules are applicable to them, except other devices moved by human power or used exclusively upon stationary rails or tracks and devices which derive their power for operation from stationary overhead wires.

WAY

Any public highway, private way laid out under authority of statute, way dedicated to public use or way under the control of park commissioners or body having like powers.

Art. 1 Sec. 3 EXEMPTIONS

The provisions of these rules and regulations shall not apply to drivers actually engaged in work upon a street or highway closed to travel or under construction or repair, to officers when engaged in the performance of their public duties, or to drivers of emergency vehicles while operating in an emergency and in performance of their public duties, when the nature of the work of any of these necessitates departure from any part of these rules and regulations. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others.

Art. 1 Sec. 4 EXPERIMENTAL REGULATIONS

For purposes of trial the Traffic Commission may make temporary rules regulating traffic or test under actual conditions of traffic signs, signals, markings or other devices. No such experimental rule regulating traffic shall remain in effect for a period of time longer than 60 days, unless otherwise ordered by the Traffic Commission.

Art. 1 SEC. 5 SCHOOL ZONES (See Schedule 16)

A School Zone as referred to in Massachusetts General Laws, Chapter 90, Section 17, shall be construed to be only that section of a way which abuts the grounds of a school and is posted and marked in accordance with standards of the MassDOT, to indicate the applicability of the statutory speed limits of 20 miles per hour for all vehicles in accordance with the terms of the permit for the zone. See Schedule 16 for a listing of approved School Zones. Schedule 16 is appended hereto and is hereby specifically incorporated into this section.

Art. 1 Sec. 6 ZONES OF QUIET – HOSPITALS

All of the territory within 200 feet of the premises of each hospital in this City is hereby created and established as a zone of quiet. The Traffic Commission shall erect and maintain in the conspicuous manner within this area such signs and markings as are necessary to designate it as a zone of quiet.

Art. 1 Sec. 7 ZONES OF QUIET – TEMPORARY

The Chief of Police may temporarily establish a zone of quiet upon any street where a person is seriously ill. Said temporary zone of quiet shall embrace all territory within a radius of 200 feet of the building occupied by the person named in said request. Said temporary zones of quiet shall be designated by the Chief of Police by causing to be placed at a conspicuous place in the street a sign or marker bearing the words, "Zone of Quiet".

Art. 1 Sec. 8 ZONES OF QUIET - HORNS AND OTHER NOISES

No person operating a motor vehicle within any designated and signed zone of quiet shall sound the horn or other warning device except in an emergency.

Art. 1 Sec. 9 CLINGING TO VEHICLES

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

Art. 1 Sec. 10 ACCIDENTS TO BE REPORTED

Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or, in which there is damage in excess of \$1,000.00 to any one vehicle or other property, shall report such accident within 5 days to the Registrar and to the Police Department in accordance with the provisions of Massachusetts General Laws, Chapter 90, Section 26. (TC 11/88)

Art. 1 Sec. 11 RESPONSIBILITY OF OWNER

If any vehicle is found upon any street in violation of any provision of Chapter 93 and the identity of the driver cannot be determined, the owner or the person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

Art.1 Sec. 12 PENALTY (See Schedule 9)

Except as otherwise provided, any person convicted of a violation of any provision of Chapter 93 or these Rules and Regulations shall be punished by a fine of not less than \$100 nor more than \$300. Any person violating any provision of any rule, regulation or order regulating the parking of motor vehicles within the City, made by any official body authorized to make the same, will be dealt with as provided by Massachusetts General Laws, Chapter 90, Section 20C, as amended, and any person violating any of the rules and regulations applicable to state highways, made by the MassDOT, under authority of Massachusetts General Laws, Chapter 85, Section 2 shall be subject to the penalty provided in said rules and regulations. In accordance with Massachusetts General Laws, Chapter 90, Section 20C. (TC6/11)

Art. 1 Sec. 13 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS

The provisions of these regulations shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, County, or City, and it shall be unlawful for any said driver to violate any of the provisions of these regulations, except as otherwise permitted in these regulations or by State statute.

Art. 1 Sec. 14 NOTICE POSTING REQUIREMENTS

Except in an emergency, a notice of a public meeting shall be posted at least 48 hours in advance of the meeting, excluding Saturdays, Sundays and legal holidays, with the City Clerk's Office, in accordance with Massachusetts General Laws, Chapter 30A, Section 20. In an emergency, the notice shall be posted as soon as reasonably possible prior to such meeting. The notice shall be printed or displayed in a legible, easily understandable format and shall contain the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. In addition, a notice may be published on the City's Web Site.

Art. 1 Sec. 15 PETITIONS REQUIRED SIGNATURES

1: Petitions for the installation, removal or alteration of intersectional controls/regulations (traffic signals, stop signs, yield signs, no turn on red, etc.) require a total of 65 percent signatures (including the petitioner's) from owners or tenants whose building or lot of land is located within 500 feet of the effected intersection (one signature per household or business)

2: Petitions for installation, removal or alteration of parking restrictions, truck exclusions, speed limits, bus stops, and all other traffic regulations must be signed by 65 percent of the residential, commercial and/or non-profit units which abut the affected street or way, (including petitioner's) be required (one signature per household or business)

- 3: The following petitions shall be exempt from such signature requirements:
- 1: Petitions submitted by the Mayor and/or City Councilor;
 - 2: Petitions submitted by the Chief of Police and/or Fire Chief for safety reasons
 3. Petitions submitted by one or more members of the Traffic Commission
 - 4: Petitions submitted by the Clerk upon his/her determination that there is an inconsistency between a prior vote of the Commission due to a clerical oversight;

- 5: Petitions for the installation, removal or alteration of handicap parking which shall be subject to the provisions adopted by the Traffic Commission (April 25, 2013)

Art. 1 Sec. 16 OWNER PRIMA FACIE RESPONSIBLE FOR VIOLATIONS

If any vehicle is found upon any street or highway in violation of any provisions of these rules and regulations and the identity of the driver cannot be determined, the owner or the person in whose name such vehicle is registered shall be held prima facie for such violations.

ARTICLE 2 AUTHORITY AND DUTIES OF POLICE

Art. 2 Sec. 1 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS

Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency in order to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

Officers of the Fire Department, when at the scene of a fire, or other emergency may assist the Police in directing, or, in the absence of Police, may direct traffic there or in the immediate vicinity.

No officer shall, except in the event of a fire or other emergency, turn-off, or turn to flashing, any traffic signal not specifically arranged for manual control without specific permission from the Chief of Police or in his/her absence the officer in charge of the Police Department, or the Inspector of Wires, or in his/her absence, the person in charge of the Wires Department. In the event of a fire or emergency the officer shall make a record of the time placed to flashing and the time restored back into normal service and report these times to the Chief of Police and Inspector of Wires as soon as practical.

Art. 2 Sec. 2 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS

No person shall willfully fail or refuse to comply with any lawful order or direction of an officer as defined in Article I, relating to the direction, control or regulation of traffic. Any person acting in conformity with any such order or direction shall be relieved from the observance of these Rules and Regulations with which it conflicts.

Art. 2 Sec. 3 CLOSING STREETS

The Chief of Police or in his/her absence the officer in charge of the Police Department, or the Traffic Commission, or in his/her absence, the person in charge of the Traffic Commission may prohibit and close temporarily any street in an impending or existing emergency, or for any lawful assemblage, demonstration or procession, provided there is reasonable justification for the closing of such street.

Art. 2 Sec. 4 TEMPORARY CLOSING OF STREETS

The Chief of Police or his/her designee is hereby authorized to close temporarily, any street or highway in an impending or existing emergency, public safety concern, or for any lawful assemblage, demonstration or procession provided there is reasonable justification for the closing of such street. At no time shall a street under routine or scheduled roadway construction be closed without permission from the Traffic Commission or his/her designee or the Director of Consolidated Public Works or his/her designee

The Traffic Commission or his/her designee or Chief of Police or his/her designee is hereby authorized to prohibit temporarily, stopping, standing, or parking on any street or highway or part thereof in any impending or existing emergency or for a lawful assemblage, demonstration or procession on or in the event of extraordinary or unusual circumstances. At no time shall a street under routine or scheduled roadway construction be closed without permission from the Traffic Commission or his/her designee or the Director of Consolidated Public Works or his/her designee.

Art. 2 Sec. 5 TEMPORARY PARKING PROHIBITIONS

The Chief of Police or in his/her absence the officer in charge of the Police Department, or the Traffic Commission, or in his/her absence, the person in charge of the Traffic Commissioning may prohibit temporarily parking on any street or part thereof in an existing or impending emergency, or for a lawful assemblage, demonstration or procession, provided there is reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of any officer.

Art. 2 Sec. 6 COMMUNITY SERVICES DIVISION TO INVESTIGATE ACCIDENTS

It shall be the duty of the Community Services Division, assisted by other Police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

Art. 2 Sec. 7 TRAFFIC ACCIDENT REPORTS

The Police shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the Traffic Commission.

Art. 2 Sec. 8 TRAFFIC ACCIDENT STUDIES

Whenever the accidents at any particular location becomes numerous, the Community Services Division shall cooperate with the Traffic Commission in conducting studies of such accidents and determining remedial measures.

The Chief of Police shall keep a record of all operators involved in accidents within his/her municipality.

The Chief of Police shall report to the Registrar of Motor Vehicles such operators as are found to be constant violators of these regulations.

Art. 2 Sec. 9**ANNUAL TRAFFIC REPORT**

The Chief of Police shall submit to the Mayor an annual traffic safety report, which shall include the following:

1. The number and location of motor vehicle accidents in the City during the proceeding year.
2. The number of drivers reported to the Registrar of Motor Vehicles during the proceeding year.
3. Any other pertinent data in their possession on the subject of accidents and traffic safety.
4. Will have plans and recommendations for the future concerning accident prevention, traffic safety, and the enforcement of the laws concerning the operation of motor vehicles and of Chapter 93 and these Rules and Regulations.

Art. 2 Sec. 10**SAFE TRANSPORTATION OF HAZARDOUS MATERIALS**

(a) Whoever transport hazardous materials in such quantity as requires notification to the State Department of Public Health shall give notice to the Chiefs of the Fire and Police Departments at least 24 hours before such proposed transportation, stating the quantity, type of material, packaging, degree of radioactivity and shipping routes and time of such transfer.

(b) Such shipments shall not leave a state or interstate highway except in accordance with this section.

Art. 2 Sec. 11**POLICE TO DIRECT TRAFFIC; CONSTRUCTION SITES; DIRECTION IN EVENT OF FIRE OR EMERGENCY**

It shall be the duty of officers designated by the Chief of Police to enforce the provisions of these Rules and Regulations. Only sworn officers are hereby authorized to direct all traffic either in person or by means of visible or audio signals in conformance with the provision of these rules, including at construction sites in the public way. However, in the event of a fire or other emergency, to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic as conditions may require, notwithstanding the provisions of these rules and regulations.

Art. 2 Sec. 12**DUTIES OF THE TRAFFIC ENGINEER**

The Traffic Commission may appoint a Traffic Engineer whose appointment shall be subject to the confirmation of a majority of all members of the City Council. The Traffic Engineer shall serve at the pleasure of the Traffic Commission. His/Her duties shall include the coordination of all traffic control activities, including, but not limited to the following;

Traffic Engineering analyses, traffic signal timing, traffic signs, and markings, intersection designs and other standard Traffic Engineer practices; Bus routing, schedules and bus stop locations; On-street and off-street parking including related enforcement activities, particularly with regard to priority, timing and type of enforcement; and pedestrian and bicycle safety.

Art. 2 Sec. 13 TRAFFIC COMMISSION

The Traffic Commission shall have exclusive authority, except as otherwise provided to adopt, amend, alter, and repeal rule and regulations, not inconsistent with general law relative to pedestrian traffic and vehicular street traffic in the City and to the movement stopping or standing of vehicles on and their exclusion from, all or any street(s), ways, highways, roads, and parkways under the control of the City, including rules and regulations designating any way or part thereof under said control as a throughway under and subject to the provisions of Massachusetts General Laws, Chapter 89, Section 9, and may prescribe penalties for the violation of any rule or regulation adopted hereunder. (Chapter 93 of the Acts of the General Court of 1965)

ARTICLE 3 TRAFFIC SIGNS, SIGNALS, MARKINGS & ZONES

Art. 3 Sec. 1 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES

The Traffic Engineer shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic regulations of this City to make effective the provisions of said regulations, and may place and maintain such additional traffic-control devices as he/she may deem necessary to regulate traffic under the traffic regulations of this City or under state law or to guide or warn traffic.

Art. 3 Sec. 2 NECESSITY FOR SIGNS

Article 5, Sections 4, 5, 6, 7, 8, 9, 13, and 14, relating to Parking, and Article 7, Sections 11 (U-Turns Prohibited), 12 (Speed Regulations) and 14 (Heavy Commercial Vehicles) on certain streets shall each be effective as to any block only during such time as a sufficient number of official signs are erected and maintained therein, located so as to be easily visible to approaching drivers, and directing them in substance to comply with the requirements of the applicable sections.

Sections relating to One-Way streets shall be effective as to any street or part of a street only during such time as a sufficient number of official signs are erected and maintained at each of the exits from such street or part of a street, so that at least one sign will be clearly visible for a distance of at least 75 feet to drivers approaching such an exit.

Art. 3 Sec. 3 DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS

No person shall place, maintain or display upon or in view of any way an unauthorized sign, signal, or marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

No person shall place or maintain nor shall any public authority permit upon any traffic sign or signal bearing thereon any commercial advertising.

Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the Traffic Commission is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice.

**Art. 3 Sec. 4 INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES
OR RAILROAD SIGNS OR SIGNALS**

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any other part thereof shall be punished as provided in Article I, Section 11.

Art. 3 Sec. 5 BUS STOPS, TAXICAB STANDS AND SERVICE ZONES

The location of all bus stops, taxicab stands and service zones shall be specified by the Traffic Commission, and in the case of taxicab stands the Chief of Police shall designate who may use them as such.

**Art. 3 Sec. 6 OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES
(See Schedule 10)**

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of these regulations unless otherwise directed by a traffic or Police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in these regulations.

**Art. 3 Sec. 7 STANDING OR PARKING CLOSE TO CURB OR EDGE OR
ROADWAY**

Except as otherwise provided in this article every person stopping or parking upon a roadway shall so stop or park with both wheels, on the side of the vehicle adjacent to the curb, within 12 inches of the curb or edge of roadway.

Upon streets or parts of streets which have been marked or signed for angle parking, persons parking shall park with one wheel within 12 inches from the curb.

Upon any street or parts thereof where snow, ice or debris or other obstruction prevents the parking of a vehicle as specified in (a) or (b) above, any vehicle parked with the wheels more than 12 inches from the curb shall be considered in violation of this section of the regulations.

Art. 3 Sec. 8 DIRECTION OF PARKING

Persons shall park in the direction of the flow of traffic pertaining to that side of the street on which the vehicle is parked.

Where angle parking is permitted either on the street or in public off-street parking lots, persons shall park with the front or rear of the vehicle facing into the curb or island as posted.

Vehicles parked contrary to the direction specified in this section shall be considered parked in the wrong direction.

Art. 3 Sec. 9 SIGNS OR MARKINGS INDICATING ANGLE PARKING

The Traffic Commission shall determine upon what streets angle parking shall be permitted and shall mark and sign such streets.

Angle parking shall not be indicated or permitted at any place on any two-way street where passing traffic would thereby be caused or required to drive upon the left side of the center line marking of the roadway.

Art. 3 Sec. 10 OBEDIENCE TO ANGLE-PARKING SIGNS AND STALL MARKINGS

On those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

Where parking stalls have been marked upon the roadway whether on City streets or municipal public parking places, persons shall park so that all four wheels of the vehicle shall be placed wholly within marked lines.

In any municipal public parking place under the control of the City, whether or not parking meters are installed therein, persons shall park wholly within a parking space duly designated for the parking of a vehicle by markings on the surface of the roadway, and at no other place within said municipal public parking place.

Violation of this section of the regulations shall be considered "Not Parking Within Designated Space."

ARTICLE 4 OFFENSES

Art. 4 Sec. 1 PEDESTRIANS SOLICITING RIDES OR BUSINESS

No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

Art. 4 Sec. 2 USING VEHICLE FOR ADVERTISING PURPOSES

No person shall operate or park a vehicle on any street or highway, for the sole purpose of advertising, whether by display of signs or by sound, unless licensed to do so by the City Council. The fee for such license shall be determined by the approving authority for each year or part of year during which such vehicle is so operated or parked.

Art. 4 Sec. 3 RESTRICTION OF WORK DURING CERTAIN HOURS

No work shall be performed on the entire length of any street or roadway listed below during the hours of 7am to 9am and 4pm to 6pm. Also no construction vehicles shall be parked waiting to perform work during these hours. In case of emergency, exceptions to this rule can be made by the Consolidated Public Works Director or their designee.

Any non-emergency work would be reviewed on a case-by-case basis and approval may be issued by the Consolidated Public Works Director or his/her designee. Street or roadways restricted are as follows: Bacon St., Bear Hill Rd., Beaver St., High St., Lexington St., Linden St., Main St., Maple St., Moody St., Newton St., Pine St., Prospect St., River St., Second Ave., Smith St., South St., Stow St., Totten Pond Rd., Trapelo Rd., Waverley Oaks Rd., Weston St., Winter St., Wyman St.,. (TC 11/13)

**Art. 4 Sec. 4 PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS
TO OBEY TRAFFIC REGULATIONS**

Every person propelling any push cart or riding an animal upon a roadway, and every-person driving any animal-drawn vehicle, shall be subject to provisions of these regulations applicable to the driver of any vehicle, except those provisions of these regulations which by their very nature can have no application.

**Art. 4. Sec. 5 USE OF COASTERS, ROLLER SKATES AND SIMILAR
DEVICES RESTRICTED**

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

Art. 4 Sec. 6 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle by the laws of this state declaring rules of the road applicable to motor vehicles or by the traffic regulations of this City applicable to the driver of a motor vehicle, except as to special regulations in this article and except as to those provisions of laws and regulations which by their nature can have no application.

**Art. 4 Sec. 7 OBEDIENCE TO TRAFFIC CONTROL DEVICES FOR
BICYCLISTS**

Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a Police officer.

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

Art. 4 Sec. 8 REQUIRED EQUIPMENT FOR BICYCLISTS

Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of 15 miles per hour to a smooth safe stop within 30 feet on a dry, clean, hard, level surface.

Every bicycle when in use during the period from one-half hour after sunset to one-half hour before sunrise, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front. To the rear, either a red lamp or a red reflector visible for not less than 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

The operator shall not carry any package, bundle or article except in a basket, rack, trailer or other device designated for such purpose. The operator shall keep at least one hand upon the handlebars at all times.

Art. 4 Sec. 9 RIDING ON BICYCLES

For Law of the Commonwealth, see Massachusetts General Laws, Chapter 85, Sections 11B and 11B1/2. Also, City Ordinance Chapter 17, Sections 27 & 28

Art. 4 Sec. 10 RIDING BICYCLES ON ROADWAYS

The bicycle operator may ride no more than two abreast and on a road with more than one lane in the same direction of travel, and must stay within a single lane. The bicycle operator may keep to the right when passing a motor vehicle in the travel lane or the way. The bicycle operator shall not pass to the right of a bus or minibus stopped at a designated bus stop.

The bicycle operator shall signal by either hand their intention to stop or turn.
The bicycle operator shall not permit their bicycle to be drawn by any other moving vehicle.

The Traffic Commission shall determine upon which streets to designate a bike lane and shall mark such streets as described herein and made part hereof.

The Traffic Commission shall determine upon which streets a bicycle operator may ride on a one-way street in the opposite direction and upon which is marked as a contra-flow bike lane.

The Traffic Commission shall determine upon which shared streets, a bicycle operator may ride in the opposite direction as a general traffic and shall post official signs bearing the legend "Do Not Enter Except Bicycles" on the streets where non-bicycle vehicle entry is restricted, facing traffic that would otherwise enter in the restricted direction.

Art. 4 Sec. 11 EMERGING FROM ALLEY OR DRIVEWAY

The driver of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

Art. 4 Sec. 12 SIDEWALK CYCLING BANNED ON CERTAIN STREETS AND DISTRICTS

No person shall ride a bicycle on any sidewalk described herein and made part hereof and which has been posted with appropriate signs and/or markings on the sidewalk.

- (a) Pedestrians have the right of way on all sidewalks. The operator of a bicycle shall yield to pedestrians in all traffic situations
- (b) The operator of a bicycle shall ride at a speed no greater than an ordinary walk when on a sidewalk or when entering or leaving a sidewalk
- (c) The operator of a bicycle shall give an audible warning before passing a pedestrian far enough in advance to allow the pedestrian time to react.
- (d) No one shall operate a bicycle on a sidewalk in a manner that endangers or would likely to endanger any person or property
- (e) The operator of a bicycle shall comply with all Federal, State and local regulations concerning lighting and helmet use as they apply to roadways when riding on a sidewalk

- (f) No person shall operate a bicycle on a sidewalk in a territory contiguous to any way where the dwelling houses are situated at such distances that the center-to-center spacing of the dwellings averages less than 100 feet between them for a distance of one-eighth mile or more (excluding the space occupied by intervening ways if any), and where the paved surface of the surface of the sidewalk excluding the top of the curbstone is less than 7 feet in width when measured from the line that divides the adjacent land from said sidewalk.
- (g) No person shall operate a bicycle on a sidewalk in a territory contiguous to any portion of Moody Street between Main Street and Derby Street or any portion of Main Street between Everett Street and Newton Street. (TC 9/90)

Art. 4 Sec. 13 BICYCLE PARKING

- (a) Bicycles are permitted to park against a building, street sign pole, or on a bicycle rack or other facility specifically intended for that purpose.
- (b) Under no circumstances shall a bicycle obstruct the pedestrian path of travel or disability access ramps. A parked bicycle must leave at least 36 inches of an obstruction free path of travel.
- (c) Bicycles are not permitted to be parked to: fire hydrants, hand railings, benches, trees, trash receptacles and parking meters.
- (d) Bicycles shall not be parked longer than 72 consecutive hours at the same location in any business district.
- (e) Bicycles in violation of these regulations shall be tagged and removed immediately if presenting a public safety hazard as noted in section (b) and given a 72-hour notice to remove for violations in sections (c) and (d). Removed bicycles shall be held by the Consolidated Public Works Department for a minimum of 30 days.
- (f) No motorized vehicles shall be parked on a bicycle rack or other facility specifically designed and intended for bicycle parking. Violators are subject to immediate removal from the City Consolidated Public Works Department or Police Department.

Art. 4 Sec. 14 OBSTACLES AT INTERSECTIONS

No person shall construct or place any sign or other advertising device or obstacle upon the sidewalk of a height exceeding 4 feet above the roadway within 20 feet of an intersection. This section shall not apply to poles, wires, conduits and appurtenances of telegraph and telephone, water, gas, electric light, heat and power companies, street lights or traffic-control devices.

Art. 4 Sec. 15 SNOW OR ICE

No person shall throw or put snow or ice in the area of the roadway normally used by moving traffic. No person shall pile snow or ice in any roadway or on any sidewalk near an intersection so as to obstruct the vision above a height of 4 feet within 20 feet of the intersection. First offense is \$50, second and subsequent offenses \$100. See General Ordinance Section 17-16.

Art. 4 Sec. 16 RUBBISH IN STREET

Notwithstanding any regulation or ordinance to the contrary, no person shall deposit in any roadway at any place where the stopping or the standing or the parking of vehicles is prohibited by these regulations, any dead shrub or tree, trimmings, earth from cellars, or any rubbish, unless the same shall be immediately removed there from, at the expense of the owner or other person making such deposit.

Art. 4 Sec. 17 PLACING OF STRUCTURES IN STREETS PROHIBITED

No person shall place, erect or cause to be placed or erected within any roadway, any fixture or structure unless or until a permit has been issued by the appropriate authority. See General Ordinance Section 17-8.

Art. 4 Sec. 18 KEEP TO THE RIGHT OF ROADWAY DIVISION

Upon such roadways as are divided by a parkway, grass plot, reservation, viaduct, subway or by any structure or area, drivers shall keep to the right of such a division except when otherwise directed by an officer, signs, signals, or markings.

ARTICLE 5 STOPPING, STANDING, PARKING

Art. 5 Sec. 1 WHERE PROHIBITED – GENERALLY

The provisions of this article prohibiting the stopping, standing, or parking of a vehicle shall apply at all times or at those time herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police officer or official traffic control device.

Stop a Vehicle:

- (1) Within an intersection;
- (2) On a sidewalk.
- (3) On a crosswalk;
- (4) Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within 12 inches of the curb or edge of the roadway; except upon those streets, which are designated one-way streets. On such one-way streets vehicle may be parked facing in the direction in which said vehicle is moving and both left wheels within 12 inches of the left curb or edge of roadway.
- (5) Upon a street, other than an alley or private way, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic;
- (6) Within 10 feet of a fire hydrant;
- (7) In front of any private road or driveway without consent of the owner thereof.
- (8) 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 said entrance, when properly sign posted;
- (9) No parking upon any public way or public parking lot or facility for a period of time exceeding 24 consecutive hours whether or not such vehicle is disabled.
(TC 1/00)
- (10) On a safety zone or channelizing island;
- (11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

- (12) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (13) Upon any bridge or other elevated structures, or within a highway tunnel;
- (14) On any railroad tracks;
- (15) Adjacent to a safety zone, median island, traffic island or channelizing island; in such a manner as to obstruct any curb ramp designed for use by persons with disabilities;
- (16) Stand or park a vehicle whether occupied or not, except momentarily to pick up or discharge a passenger or passengers;
- (17) in front of a public or private driveway, private road, private way or alley;
- (18) Within 30 feet of an intersection;
- (19) Within 20 feet of a crosswalk on the side from which traffic approaches, when properly sign posted;
- (20) Within 30 feet upon the approach to any flashing signal, stop sign or traffic-control signal located at the side of a roadway, when properly sign posted;
- (21) Upon or within an alley or private way in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic or in such position as to block the driveway entrance to any abutting property;
- (22) In any street or part thereof where signs have been placed for the purpose of facilitating the cleaning of streets, the maintenance of streets, the plowing of snow or the removal of snow.

Art. 5 Sec. 2 REGULATIONS NOT EXCLUSIVE

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Art. 5 Sec. 3 PARKING PROHIBITED AT ALL TIMES

- (a) When signs are erected in each block giving notice thereof, no person shall park a vehicle at any time upon any of the streets or sides thereof as described in Schedule 1 incorporated herein.
- (b) When signs are erected giving notice thereof, no person shall park a vehicle at any time in any parking space as described herein designated for disabled veterans and persons with disabilities unless said vehicle is owned and operated by a disabled veteran or by a persons with disabilities and bears a distinctive number place or placard authorized by Massachusetts General Laws Chapter 90, Section 2, or for any vehicle bearing the official identification of a persons with disabilities issued by any other city, county, state or country.
- (c) When signs are erected giving notice thereof, no person shall park a vehicle at anytime in any parking spaces, as described herein, designated for "Reserved Parking Only".

Art. 5 Sec. 4 NEAR SAFETY ZONE ISLANDS

Parking is prohibited within 20 feet of either end of a Safety Zone Island which is located within 30 feet of the curb or edge of the roadway.

Art. 5 Sec. 5 SERVICE ZONES / LOADING ZONE (See Schedule 5)

Parking is prohibited upon any street in any service zone or loading zone for a period of time longer than 15 minutes, except while actually engaged in loading or unloading, and then for not more than 30 minutes.

Art. 5 Sec. 6 PARKING LOCATIONS AND PROHIBITIONS (See Schedule 1)

Parking is restricted, prohibited or limited as to time, space and streets in accordance with a schedule designated as Schedule 1 hereto appended, to which reference is made, and which Schedule 1 is specifically incorporated in this section. No driver shall park a vehicle in the designated prohibited locations or in the restricted locations for a period longer than is designated in Schedule 1, except as otherwise provided in Schedule 1.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police official or traffic control device, no person shall park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers: Within 50 feet of the nearest rail of a railroad crossing; when properly sign posted; Within 15 feet of the center of any public or private driveway, private way, or alley, when properly sign posted by order of the Traffic Commission.

Art. 5 Sec. 7 DIAGONAL PARKING

The Traffic Commission shall determine the streets upon which diagonal parking will be permitted and shall cause said streets to be designated by signs and the surfaces thereof to be marked by the Traffic Commission. Diagonal parking shall be permitted only at those locations shown in Schedule 1 hereto appended, to which reference is made, and which Schedule 1, relative to diagonal parking, is herewith specifically incorporated in this section. Where such diagonal parking is permitted, vehicles shall be parked with one wheel within 12 inches of the curb and at an angle to the curb indicated by official marks and signs. The vehicle shall be parked so that all four wheels thereof shall be placed wholly within the area indicated for parking, and headed to the curb.

Art. 5 Sec. 8 BUS STOPS

No person shall stop/stand or park a vehicle other than a bus in a bus stop. No person shall stop/stand or park a bus upon any street within a business district at any place other than a bus stop, when a nearby bus stop is available for use.

**Art. 5 Sec. 9 RESTRICTED USE OF BUS AND TAXICAB STANDS
(See Schedule 7)**

No person shall stop, stand, or park a vehicle other than a bus in a bus stand or bus stop when any such stop or stand has been officially designed and appropriately signs, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such zone.

No person shall stand, or park a vehicle other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed, except

that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any taxicab waiting to enter or about to enter such zone.

Art. 5 Sec. 10 DISPLAY FOR SALE

No person shall park upon any street, highway or off-street parking area controlled by the City, any vehicle displayed for sale.

Art. 5 Sec. 11 PARKING WITHOUT LIGHTS PERMITTED

In accordance with the provisions of Massachusetts General Laws, Chapter 90, Section 7, parking of a motor vehicle at night without lights is hereby permitted when and where not otherwise prohibited by Chapter 93 and these Rules and Regulations.

Art. 5 Sec. 12 REPAIRING OF VEHICLES

No person shall repair, wash or clean vehicles or other conveyances or cause them to be repaired, washed or cleaned in or upon any public way of the City or any off-street parking area controlled by the City, nor shall any person occupy any part of any public way of the City or off-street parking area controlled by the City as storage room for any vehicle; except, in an emergency, temporary repairs may be made. See Article 5, Section 23.

Art. 5 Sec. 13 PARKING ON PRIVATE WAYS

All parking restrictions, prohibitions and parking time limits listed in Schedule 1 attached, regarding private ways, have been ordered in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 21, Paragraph 14, as most recently amended on April 17, 1961, "for prohibiting or regulating the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any building."

Art. 5 Sec. 14 FRONT DOOR DELIVERIES FROM MOODY STREET

No person shall, for the purposes of making deliveries of merchandise, goods and supplies, stop, stand or park a motor vehicle on Moody Street, both sides, from the Charles River southerly to Newton City Line, between the hours of 3:00 p.m. and 10:00 p.m., except when otherwise noted in Schedule 5, and on Sundays and Holidays. (TC 9/13)

Art. 5 Sec. 15 WEATHER EMERGENCY REGULATIONS

Whenever impending weather conditions threaten to constitute a traffic hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health and Police protection, and other vital facilities of the City, the Director of Consolidated Public Works shall declare an emergency period.

Whenever such emergency exists, and the Director of Consolidated Public Works shall have caused announcement thereof by the use of available news media, any or all of the following parking prohibitions shall become effective at either the time designated or upon the accumulation of 2 inches of snow in absence of a declaration. Permit B-3252 12/77. Parking on any street shall be in violation of this section. (TC 4/03)

No driver shall stop, stand or park any vehicle on any way, provided, however, that this regulation shall not apply to passenger vehicles stopped temporarily during the actual receiving or discharging of passengers nor to commercial vehicles lawfully stopped temporarily during the actual receiving or discharging of passengers nor to commercial vehicles stopped temporarily during the actual loading or unloading of materials.

Art. 5 Sec. 16 STANDING PROHIBITED (See Schedule 1)

Standing is prohibited in accordance with a schedule designated as Schedule 1 hereto appended, to which reference is made, and which Schedule 1 is specifically incorporated in this section. No driver shall stand a vehicle in the locations designated in Schedule 1, except as otherwise provided in Schedule 1.

Art. 5 Sec.17 STOPPING PROHIBITED (See Schedule 1)

Stopping is prohibited in accordance with a schedule designated as Schedule 1 hereto appended, to which reference is made, and which Schedule 1 is specifically incorporated in this section. No driver shall stop a vehicle in the locations designated in Schedule 1, except as otherwise provided in Schedule 1.

Art. 5 Sec. 18 COMMERCIAL VEHICLE PARKING PROHIBITED

No driver shall park or stand any motor vehicle and/or motor vehicle attachment (excluding recreational vehicles) having a registered gross vehicle weight of 10,000 pounds or more, or exceeding 24 feet in length between 2:00 A.M. and 6:00 A.M. on any part of any street, way, highway, road, or parkway under the control of the City, providing that this regulation shall not apply to emergency vehicles in the case of an emergency. Motor vehicles, regardless of size, owned or operated by the City, the Commonwealth of Massachusetts, or the United States of America is hereby exempt from these regulations. Each day in which a motor vehicle is in violation of this provision shall constitute a separate offense.

Art. 5 Sec. 19 HANDICAPPED PARKING (See Schedule 6)

No driver shall park or stand any motor vehicle and/or motor vehicle attachment on any part of any street, way, parkway, off-street parking lot, area or upon the cross hatch (section adjacent to such location that has been designated for Handicap Parking) or to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person. Parking spaces designated as restricted shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense". The sign shall be permanently located at the head of each space and no more than 10 feet away, and a height of not less than 5 feet. The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the Architectural Access Board established in Section 13A of Chapter 22. The cross hatch access aisle abutting a handicapped parking space shall be considered part of the handicapped parking space to which it abuts to provide individuals who use wheelchairs or other mobility aids with sufficient space to enter and exit their vehicles. No person shall park in the cross-hatched access aisle.

Handicap parking spaces do not override other existing parking restrictions or citywide policies, are not valid during established times when no parking is allowed on the street.

(Note: Massachusetts General Laws, Chapter 40, Section 21, clause 23, paragraph b: The penalty for violation of any ordinance or by-law made hereunder shall be not less than \$100.00 nor more than \$300.00 for the first offense). (TC 3/01)

Art. 5 Sec. 20 PARKING IN FIRE LANES (See Schedule 4)

No person shall stand, park, or wait with any vehicle on a public way, private way or any property serving business establishments, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, office buildings, commercial property, residential dwellings or any place or area where the public has a right of access as invitees or licensees, that has been designated as a Fire Lane and approved by the Traffic Commission. Such areas shall be properly marked with distinguishing markings and signs that appropriately identify such Fire Lane, as designated by the Fire Department. (See Schedule 4)

**Art. 5 Sec. 21 UNATTACHED TRAILER, DUMPSTER, CONTAINER PARKING
(See Schedule 9)**

Any business or construction company may make application for a permit, to place a construction trailer, dumpster or container within the bounds of a City owned parking lot or garage, to the Traffic Commission. Proof of Insurance and payment of \$25.00 per unit will be required, for approval. In addition, a fee consisting of the current 12 hour parking rate per space will be assessed. This fee will be submitted as Parking Meter Revenue. (TC 11/10)

Art. 5 Sec. 22 UNLAWFUL MOVING OF VEHICLES

No person shall move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such a distance as is unlawful, except as provided in Article 9, Section 5 of these Rules and Regulations.

Art. 5 Sec. 23 PARKING FOR CERTAIN PURPOSES PROHIBITED

No person shall park a vehicle upon any roadway for the principal purpose of: washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

- (a) Storage. Parking or leaving a motor vehicle, or other vehicle or conveyance upon any public way without moving it from the place where it was parked for a period of more than 24 hours, shall be deemed to be storage and a violation of this section, Vehicles stored in violation of this regulation are subject to fine and tow.
- (b) Trailer Parking. No person or driver shall park, cause or allow any type of trailer or trailer body on any public way. Trailers parked in violation to this regulation are subject to fine and tow . See Article 5, Section 12.

**Art. 5 Sec. 24 NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS
OR CONGESTED PLACES**

The Traffic Commission is hereby authorized to determine and designate by proper signs, places in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

When official signs are erected at hazardous or congested places no person shall stop, stand, or park a vehicle in any such designated place.

Art. 5 Sec. 25 REMOVAL OF MOTOR VEHICLES FROM PUBLIC WAY DUE TO HAZARDOUS CONDITIONS

Chief of Police or his/her designee may authorize the removal or tow of a motor vehicle parked on the public way that may pose a potential safety hazard to the general public. A potential safety hazard includes but is not limited to the following;

- (a) A vehicle, which has recently caught on fire or has protruding materials that can pose an injury to the general public.
- (b) A vehicle that has been involved in a major accident or that has major damage.
- (c) An unsecured vehicle containing hazardous or dangerous materials.
- (d) A vehicle leaking hazardous materials.

Art. 5 Sec. 26 STANDING IN CURB LOADING ZONE (see Schedule 5)

(a) No person shall stop, stand, or park a vehicle for any purpose or length of time except as provided in (b) below, other than for expeditious unloading and delivery or pickup and loading of materials in any place marked as a curb loading zone. Vehicles must display a commercial license plate and be actively loading or unloading. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

(b) The driver of a passenger license plate vehicle may stop temporarily at a place marked as a curb loading zone for the purpose of and while actually engaged in loading or unloading passengers or materials when such stopping does not interfere with any commercial motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone. In no case shall the stop for loading and unloading of materials and passengers exceed 15 minutes.

Art. 5 Sec. 27 STOPPING, STANDING AND PARKING OF BUSES AND TAXICABS REGULATED

The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated.

The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop or bus stand so designated, except in case of an emergency, or except in case the bus stop or bus stand is obstructed.

The operator of a bus shall enter a bus stop or bus stand on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than 12 inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated. Except when vehicle is used as a primary passenger vehicle for non-commercial purposes. At such time, this vehicle shall adhere to the same parking regulations as a standard passenger plated vehicle. This provision shall not prevent the operator of a taxicab from temporarily stopping in

accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

Art. 5 Sec. 28 OCCUPATION OF STREETS DESIGNATED AS EMERGENCY ARTERIES

Upon any street designated as an emergency artery, no person shall: occupy the street for the purpose of moving buildings; dig in or tear up the street; raise or lower goods into and from buildings; open manholes; erect any staging for building; deposit any stone, bricks, timber or building materials thereon; leave any article, material or merchandise; or park a cart or vehicle for the purpose of displaying merchandise; unless and until a permit has been issued.

Such permit as specified in this section shall specify the time, place, size and use of such opening, occupation or obstruction, and the time or times during which or within which the street must be in satisfactory condition to maintain the normal flow of traffic.

Such permit may require that the roadway be put in satisfactory condition by use of steel plating or other temporary structure during certain hours of the day, to maintain the flow of traffic, except when the work is of such emergency nature that the work continues on a 24 hour basis.

Such permit as specified herein shall not be issued in lieu of any other permits, deposits, bonds or insurance policy required by the general ordinances of the City, but shall apply in addition, thereto.

Any such person occupying the street in such manner as referred to herein, illegally, may be required to cease such occupation immediately, and such materials left illegally, may be moved by or under the direction of an officer and at the owner's expense.

Art. 5 Sec. 29 PARKING PROHIBITED DURING CERTAIN DAYS FOR STREET CLEANING

In any street or part thereof where signs have been erected by order of the Director of Consolidated Public Works Department for the purposes of facilitating the cleaning of streets, no person shall stand or park a vehicle on the days and during the hours indicated.

Art. 5 Sec. 30 PARKING PROHIBITED ON CITY GROUNDS

No person shall stand or park or allow, permit or suffer any vehicle in his/her name to stand or park upon any land owned or controlled by the City, which shall include any department thereof and the School Committee, after having been forbidden to do so by the person who has lawful control of said premises on behalf of the City, either directly or by notice posted thereon.

ARTICLE 6 ONE-WAY, TURN RESTRICTIONS, STOP AND YIELD REGULATIONS

Art. 6 Sec. 1 REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS

The driver of a vehicle intending to turn at an intersection shall do so in the manner described in Massachusetts General Laws, Chapter 90, Section 14.

Art. 6 Sec. 2 AUTHORITY TO PLACE AND OBEDIENCE TO TURNING MARKERS

The Traffic Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections.

The Traffic Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating that certain lanes are to be used for turning movements only.

When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, or indicating that vehicles in certain lanes must turn, no driver of a vehicle shall disobey the directions of such indications.

Art. 6 Sec. 3 AUTHORITY TO PLACE RESTRICTED TURN SIGNS

The Traffic Commission shall determine those intersections at which drivers of vehicles shall not make a right, left or U turn, or shall only make a right or left turn, and shall place proper signs at such intersections, in accordance with a list of locations described in Schedule 18.

Art. 6 Sec. 4 OBEDIENCE TO TURN SIGNS

Whenever authorized signs are erected indicating that no right, or left, or U-turn is permitted, or a right, or left turn is required, no driver of a vehicle shall disobey the directions of any such sign.

Art. 6 Sec. 5 LIMITATIONS ON TURNING AROUND

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

Art. 6 Sec. 6 AUTHORITY TO SIGN ONE-WAY STREETS AND ALLEYS (See Schedule 14)

Whenever any regulations of this City designates any one-way street or alley the Traffic Commission shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited, so that at least one sign will be clearly visible for a distance of at least 75 feet to drivers approaching the exit.

Art. 6 Sec. 7 DO NOT ENTER STREETS

At the intersections described in Schedule 14 incorporated herein and made a part hereof available at Traffic Engineering no person operating a vehicle on the streets described shall enter the other streets described to proceed in the direction listed, at the times listed.

Official traffic signs bearing the legend "DO NOT ENTER" shall be erected and maintained on the streets where entry is restricted facing the traffic which would enter in the restricted direction.

Where contra flow bicycle travel is permitted, official traffic signs bearing the legend "DO NOT ENTER EXCEPT BICYCLES" shall be erected and maintained on the streets where non-bicycle entry is restricted, facing traffic that would otherwise enter in the restricted direction (AMENDED).

The following streets or portions of streets shall be designated as "DO NOT ENTER STREETS", during the times indicated.

FISKE AVENUE, from Winthrop Street to Weston Street, traffic to travel in a northerly direction only, from 7:00 a.m. to 9:00 a.m.

BACON STREET, at Lexington Street in the right turn channel, traffic to travel from Bacon Street to southbound Lexington Street ONLY.

UNDERWOOD PARK, at Moody Street, DO NOT ENTER, at any time. (TC 5/90)

Art. 6 Sec. 8 TURNS ONLY AS DESIGNATED (See Schedule 18)

No driver of a motor vehicle shall disobey signs that have been authorized and erected according to this section which prohibit or require right or left turns in the location and manner indicated in Schedule 18 hereto appended, to which reference is made, and which Schedule 18 is specifically incorporated herein.

Art. 6 Sec. 9 ROTARY TRAFFIC

Within the areas set forth below vehicular traffic shall move only in a rotary counter clockwise direction except when otherwise directed by an officer.

Beaver Street at Lyman Street

Art. 6 Sec. 10 STOP SIGNS (See Schedule 11)

Every driver of a vehicle or other conveyance, approaching an intersection of ways where there exists facing them an official sign, bearing the word "STOP" or a flashing red signal indication, said sign or signal having been placed under order of the Traffic Commission, and such approval being in effect, shall, before proceeding through the intersection, bring such vehicle or other conveyance to a complete stop at such point as may be clearly marked by a sign or line, or if a point is not so marked, than at a place between the said "STOP" sign and the nearest line of the street or crosswalk of the said intersection. In the case of a line of two or more vehicles approaching such "STOP" sign or flashing red signal indication, the drivers of the second and third vehicles in any group must each stop at the stop line, or, if none, at the near side of the intersection.

This section shall not apply when traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device, or as provided in Section 21 of Article VII of these Rules and Regulations.

In accordance with the provisions of Massachusetts General Laws, Chapter 89, Section 9, the streets listed in Schedule 11 of these Rules and Regulations are hereby declared to constitute isolated Stop Streets (except for those streets designated as a Stop Street at a Through Way) and are hereby specifically incorporated in this Section. (also please see Article 7, Section 6.)

Art. 6 Sec. 11 YIELD SIGNS (See Schedule 12)

In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the street listed in Schedule 12 hereto appended and specifically incorporated in this section are designated as Yield Streets at the intersections and in the direction indicated.

ARTICLE 7 OPERATION OF VEHICLES

Art. 7 Sec. 1 OVERTAKING AND PASSING

The driver of a vehicle shall not pass or overtake a vehicle proceeding in the same direction unless there is sufficient clear space on the right side of the roadway to permit the overtaking to be concluded without impeding the safe operation of the vehicles ahead.

Art. 7 Sec. 2 FOLLOWING TOO CLOSELY

The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street.

Art. 7 Sec. 3 OBSTRUCTING TRAFFIC; ENTERING INTERSECTIONS OR CROSSWALKS

No person shall operate a vehicle in such a manner as to obstruct unnecessarily the normal movement of traffic upon any street. Officers may require any driver who fails to comply with the section to drive to the side of the roadway and wait until such traffic that has been delayed has passed.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to operate the vehicle they are operating without obstructing the passage of any other vehicles or pedestrians, notwithstanding any traffic control signal indication to precede.

Art. 7 Sec. 4 DISTANCE BETWEEN SLOW-MOVING VEHICLES

Upon roadways less than 27 feet wide, upon which vehicular traffic is permitted to operate in both directions, the driver of any slow-moving vehicle when traveling outside of a business or residential district shall not follow another slow-moving vehicle within

200 feet, except when overtaking and passing another slow-moving vehicle. This section shall not apply to funerals or other lawful processions.

Art. 7 Sec. 5 TRAFFIC CONTROL SIGNALS (See Schedule 10)

Colors and arrow indications in traffic control signals shall give the commands and have the meanings ascribed to them in this section and shall have no other meanings and every driver of a vehicle or other conveyance shall comply therewith, except when otherwise directed by an officer or by a lawful traffic regulating sign, signal or device, other than a stop sign, except as provided in Section 19; provided, however, that in no case shall an driver enter or proceed through an intersection, without due regard to the safety of other persons within the intersection, regardless of what indications may be given by traffic control signals.

CIRCULAR GREEN: Drivers facing a CIRCULAR GREEN may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But drivers 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.

GREEN ARROWS: Drivers facing a GREEN ARROW, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movements as is permitted by other indications shown at the same time. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

CIRCULAR YELLOW OR YELLOW ARROW: Drivers facing a steady CIRCULAR YELLOW OR YELLOW ARROW signal are thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when drivers shall not enter the intersection.

CIRCULAR RED: (See Schedule 20) Drivers facing a steady CIRCULAR RED signal and NO TURN ON RED SIGN shall stop at a clearly marked stop line, or if none, before entering the crosswalk, on the near side of the intersection or if none then before entering the intersection and shall remain standing until an indication to proceed is shown except as allowed by Massachusetts General Laws, Chapter 89, Section 8. When no sign is in place prohibiting a right turn, or a left turn from a one way street to another one-way street, drivers facing a steady circular red signal may cautiously enter the intersection to make the right turn, or left turn from a one way street to another one way street, after stopping as provided above. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. No driver of a vehicle facing circular red signal indication shall make a right turn where official traffic signs are installed and maintained prohibiting such turn at the intersections listed in Schedule 20, hereto appended. Schedule 20 is hereby specifically incorporated in this section.

RED ARROW: Drivers facing a steady RED ARROW indication may not enter the intersection to make the movement indicated by such arrow and unless entering the intersection to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line, but if none, before entering the intersection and shall remain standing until an indication to make the movement indicated by such arrow is shown.

FLASHING RED (stop signal): When a red lens is illuminated with rapid intermittent flashes, driver of vehicle shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the provisions of Massachusetts General Laws, Chapter 89, Section 8.

FLASHING YELLOW (caution signal): When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

Art. 7 Sec. 6 THROUGH WAYS (See Schedule 13)

The through way should carry a much larger volume of traffic than the intersecting ways. The volume should be of such density that under normal conditions it will carry traffic movements, which are relatively fast, as well as constant. Streets designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections or junctions in accordance with the provisions of Massachusetts General Laws, Chapter 89, Section 9, the ways and parts of ways in Schedule 13 of these Rules and Regulations to which reference is made and which Schedule 13 is specifically incorporated in this section are hereby designated through ways.

Art. 7 Sec. 7 KEEPING TO THE RIGHT OF ROADWAY DIVISION

Upon such roadways as are divided by a parkway, grass plot, reservation, viaduct, subway or by any structure or area, drivers shall keep to the right of such a division, except when otherwise directed by an officer, signs, signals, or markings.

Art. 7 Sec. 8 UNDERPASSES OR OVERPASSES; INTERSECTION WITH ISLANDS

At any junction or crossing of ways where the roadway grades have been separated and where the ways are connected by ramps and at any intersection of ways in which there are traffic islands, drivers of vehicles shall proceed only as indicated by official signs, signals, or markings.

Art. 7 Sec. 9 DRIVING ON ROAD SURFACES UNDER CONSTRUCTION OR REPAIR

No driver shall enter upon the road surface of any street or section thereof, when, by reason of construction, surface treatment, maintenance or the like or because of some unprotected hazard, such road surface is closed to travel, and one or more signs, lights, or signals have been erected to indicate that all or part of the road surface of the street is not to be used or when so advised by an officer, watchman, member of a street crew or employee of the City, either audibly or by signals.

Art. 7 Sec. 10 DRIVING THROUGH SAFETY ZONES

It shall be unlawful for the driver of a vehicle, except on signal from a Police officer to drive the same over or through a safety zone.

Art. 7 Sec. 11 “U” TURNS PROHIBITED (See Schedule 19)

No driver shall back or turn a vehicle so as to proceed in the direction opposite to that in which said vehicle is headed or traveling on the street or streets, listed on Schedule 19.

Art. 7 Sec. 12 SPEED REGULATIONS (See Schedule 17)

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as these regulations, as authorized by state law, hereby declare and determine upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in these regulations described in Schedule 17 incorporated herein and made a part hereof available at Traffic Engineering, when signs are in place giving notice thereof.

Art. 7 Sec 13 SCHOOL ZONES (Schedule 16)

The operator of any vehicle traveling on a roadway defined as a School Zone, shall comply with the speed indicated. Signs shall be located in strict accordance with Official Standards of the Commonwealth of Massachusetts Department of Transportation. Automatic Operation shall be Monday through Friday during the normal school year and at the hours indicated in Schedule 16.

**Art. 7 Sec. 14 HEAVY COMMERCIAL VEHICLES ON CERTAIN STREETS
(See Schedule 15)**

Except in an emergency, when signs are erected giving notice thereof no person shall operate a commercial vehicle at any time, of a capacity of 5,000 pounds or over, except a school bus, upon any of the ways and parts of ways in Schedule 15 of these Rules and Regulations to which reference is made and which Schedule 15 is specifically incorporated in this section, except for one of the following purposes:

1. Making deliveries of goods, materials or merchandise to or similar collections from abutting land or building.
2. Adjoining streets or ways to which access cannot otherwise be gained
3. Vehicles used in connection with the construction, maintenance and repair of streets or public utilities.
4. Federal, State, Municipal or public service corporation owned vehicles.

Art. 7 Sec. 15 PARKING OF COMMERCIAL VEHICLES AND TRAILERS

It shall be unlawful year round for any commercial vehicle or trailer to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than 2 hours, provided, that this regulation shall not apply in the following instances:

- (a) a commercial vehicle or trailer parked at a metered space
- (b) a commercial vehicle or trailer parked temporally during the actual loading or unloading of materials;
- (c) a commercial vehicle or trailer acting in an emergency or
- (d) a commercial vehicle or trailer parked within 500 feet of the work site of the driver of such vehicle or trailer. Note: This exemption shall not apply where the driver or owner of the vehicle is resident.

PENALTY: For violation of this subsection (Article 7, Section 14.1) the penalty shall be as follows; for the first offense, a warning; for the second offense, \$25. and each subsequent offense, the vehicle or trailer shall be towed to a convenient place and the owner of the vehicle or trailer towed away shall be liable for the towing and storage charges, if any.

Art. 7 Sec. 16 FUNERAL PROCESSIONS TO BE IDENTIFIED

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Police Department.

Art. 7 Sec. 17 POLICE DEPARTMENT TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS

The Police Department shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify the vehicles in funeral processions.

Art. 7 Sec. 18 PARADES, PROCESSIONS AND FORMATIONS

No person shall take part in any parade, procession or other organized formation of persons or vehicles, other than a funeral procession in or upon any street, way, highway, road or parkway under the control of the City unless a permit has been approved by the Chief of Police for such parade, procession or formation. Said permit shall designate the time, place and manner of such parade, procession or formation shall be filed sufficiently in advance to allow for any planning for the event.

Art. 7 Sec. 19 RIGHTS AND DUTIES OF OPERATORS IN FUNERAL AND OTHER PROCESSIONS

It shall be the duty of each driver in a funeral or other procession to keep as near to the right edge of the roadway as is feasible and to follow the vehicle ahead as closely as practicable and safe.

At an intersection when a traffic control signal is operating, the driver of the first vehicle in a funeral or other procession shall be the only one required to stop for a red or yellow indication.

At an intersection where a lawful stop or yield sign exists, the driver of the first vehicle in a funeral or other procession shall be the only one required to stop before proceeding through the intersection.

Art. 7 Sec. 20 DISTURBANCE OF FUNERALS

Whomever willfully interrupts or by fast driving or otherwise in any way disturbs a funeral assembly or procession shall be punished by a fine of not more than \$50.00. (TC 9/99)

Art. 7 Sec. 21 BACKING AROUND CORNERS AND INTO INTERSECTIONS

The driver of any vehicle, except an emergency vehicle, shall not back the vehicle around a corner or into an intersection and shall not in any event or at any place back a vehicle unless such movement can be made in safety or unless otherwise directed by an officer.

Art. 7 Sec. 22 CARE IN STOPPING, STARTING, TURNING, OR BACKING

The driver of any vehicle before starting, turning from a direct line, or backing, shall first see that such movement can be made in safety. (TC 4/93)

If such movement cannot be made in safety or if it interferes unduly with the normal movement of traffic, said driver shall wait for a more favorable opportunity to make such movement. If the driver of another vehicle should be affected by a stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal as required by statute law.

Art. 7 Sec. 23 SOUNDING HORN WHEN NECESSARY

The driver of a vehicle shall give an audible warning with his/her horn or other suitable warning device whenever necessary to insure safe operation. No horn or bell attached to a vehicle, except an emergency vehicle shall be blown or rung between 9:00 p.m. and 7:00 a.m.

Art. 7 Sec. 24 EMERGING FROM ALLEY, DRIVEWAY OR BUILDING

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

Art. 7 Sec. 25 NO DRIVING ON SIDEWALKS

The driver of any vehicle shall not drive upon any sidewalk except at a temporary or permanent driveway.

Art. 7 Sec. 26 NO PASSING A VEHICLE STOPPED FOR A PEDESTRIAN

Whenever a vehicle is stopped to permit a pedestrian to cross the roadway, the driver of another vehicle approaching from the rear, shall not overtake and pass stopped vehicle notwithstanding the provisions of any other section.

Art. 7 Sec. 27 THROUGH STREETS DESIGNATED (SCHEDULE 13)

Under the provisions of Massachusetts General Laws, Chapter 89, Section 9, the streets or portions of streets described in Schedule 13 incorporated herein and made a part hereof available at Traffic Engineering are hereby declared to constitute through ways.

Art. 7 Sec. 28 OBEDIENCE TO STOP SIGNS (SCHEDULE 11)

In accordance with the provisions of Massachusetts General Laws, Chapter 89, Section 9 the streets listed in Schedule 11 are designated as Stop streets at the intersections and in the direction indicated.

In accordance with the foregoing the erection and maintenance of official "STOP" signs or flashing red signal indications is authorized so as to face the streets or intersections as provided for in accordance with Schedule 11 incorporated herein and made a part hereof available at Traffic Engineering.

Art. 7 Sec. 29 OBSTRUCTING TRAFFIC

No person shall drive in such a manner as to obstruct unnecessarily the normal movement of traffic upon any street or highway. Officers are hereby authorized to require any driver who fails to comply with this section to drive to the side of the roadway and wait until such traffic as has been delayed has passed.

No driver shall enter an intersection or marked crosswalk unless there is a sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle he/she is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic-control signal indication to proceed, except that on a one-way street drivers shall not be restricted to the use of the right half of the roadway.

Art. 7 Sec. 30 OBEDIENCE TO SIGNAL INDICATION APPROACH OF TRAIN

Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he/she can do so safely. The foregoing requirements shall apply when:

- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- (2) A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train; A railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

- (3) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

Art. 7 Sec. 31 OBEDIENCE TO YIELD SIGNS (SCHEDULE 12)

In accordance with the provisions of Massachusetts General Laws, Chapter 89, Section 9, the streets listed in Schedule 12 are designated as Yield streets at the intersections and in the direction indicated.

This section shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device or as provided in these regulations.

ARTICLE 8 PEDESTRIAN CONTROL REGULATIONS

Art. 8 Sec. 1 PEDESTRIAN RIGHTS AND DUTIES

In accordance with the provisions of Massachusetts General Laws, Chapter 90, Section 18A and in accordance with the Pedestrian Control Standards of the MassDOT, the Traffic Commission of the City hereby enact the following regulations to govern the use of ways by pedestrians

Art. 8 Sec. 2 PEDESTRIANS CROSSING WAYS OR ROADWAYS

Pedestrians shall be subject to traffic control signals as heretofore declared in these regulations, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article.

Pedestrians shall obey the directions of Police officers directing traffic; and whenever there is an officer directing traffic, a traffic control signal or a marked crosswalk within 300 feet of a pedestrian, no such pedestrian shall cross a way or roadway except within the limits of a marked crosswalk and as hereinafter provided in these regulations. For the purpose of these regulations, a marked crosswalk shall only be construed to be that area of the roadway reserved for pedestrian crossing marked with white pavement markings.

Art. 8 Sec. 3 PEDESTRIAN ACTUATION

At a traffic control signal location where pedestrian indications are provided but which are shown only upon actuation by means of a pedestrian push button, no pedestrian shall cross a roadway unless or until the pedestrian control signal push button has been actuated and then cross only on the proper pedestrian signal indication. At traffic control signal locations where no pedestrian indication is provided, pedestrians shall cross only on the green indication.

At a traffic control signal location, pedestrians shall yield the right of way to vehicles of a funeral or other procession or authorized emergency vehicle while in performance of emergency duties regardless of the signal indication given, and they shall not attempt to cross the roadway until such vehicles or procession has passed at which time pedestrians shall then cross the roadway only as provided in these regulations.

Traffic control signal color indications and legends shall have the commands ascribed to them in this section and no other meanings, and every pedestrian shall comply therewith, except when otherwise directed by an officer.

- a) The word WALK or the Walking Person symbol—whenever the single word WALK or the Walking Person symbol or pedestrian countdown is illuminated, pedestrians facing such indication may proceed across the roadway and in the direction of such signal only.
- b) The DON'T WALK or Upraised Hand Symbol—whenever the words DON'T WALK, an Upraised Hand symbol or any indication shown together are illuminated in a traffic control signal where pedestrian indications are provided, pedestrians approaching or facing such indication shall wait on the sidewalk, edge or roadway or in the pedestrian refuge area of a traffic island and shall not enter upon or cross a roadway until the proper indication is illuminated in the traffic control signal, but any pedestrian who has partially completed crossing on the walk indication shall proceed or return to the nearest sidewalk or safety island when the words DON'T WALK or Upraised Hand Symbol or countdown are illuminated by rapid intermittent flashes.
- c) Green Alone—At traffic signal locations where no pedestrian indication is given or provided, pedestrians facing the signal may proceed across the roadway within any marked crosswalk in the direction of the green indication.
- d) Flashing DON'T WALK or Flashing Upraised Hand symbol—Pedestrians approaching or facing a flashing DON'T WALK or flashing Upraised Hand symbol illuminated indication shall not start to cross a roadway.
- e) Green—At any traffic control signal location where a green indication is being given facing a crosswalk, pedestrians shall actuate, where provided, the pedestrian signal indication and cross the roadway only on WALK indication when such indication is in operation. If no pedestrian signal is provided, pedestrians shall cross within crosswalks with due care.

No pedestrian shall suddenly leave a sidewalk or safety island and walk or run in to the path of a vehicle which is so close that it is impossible for the driver to yield the right of way.

Pedestrians shall at all times attempt to cross a roadway using the right half of crosswalks.

Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway whenever the sidewalk is open to pedestrian use.

Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway on its unfinished shoulder facing traffic which may approach from the opposite direction.

Persons alighting from the roadway side of any vehicle parked at the curb or edge of roadway shall proceed immediately to the sidewalk or edge of roadway adjacent to vehicle, and shall cross the roadway only as authorized by these regulations.

It shall be unlawful for any persons to actuate a pedestrian control signal or to enter a marked crosswalk unless a crossing of the roadway is intended.

Art. 8 Sec. 6 CROSSING AT NON-SIGNALIZED LOCATIONS

Every pedestrian crossing a roadway at any point other than within a marked crosswalk, shall yield the right of way to all vehicles upon the roadway. At a point where a pedestrian tunnel or overpass has been provided, pedestrians shall cross the roadway only by the use of the tunnel or overpass.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

Art. 8 Sec. 7 DRIVERS TO EXERCISE DUE CARE

The provisions of these regulations shall in no way abrogate the provisions of Massachusetts General Laws, Chapter 90, Sections 14 and 14A of the which provide for "Precautions for Safety of Other Travelers" and for the "Protection of Blind Persons Crossing Ways." Furthermore, notwithstanding the provisions of these regulations every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon the roadway and shall give warning by sounding the horn when necessary and shall exercise proper precautions which may become necessary for safe operation.

Art. 8 Sec. 8 DRIVERS TO YIELD RIGHT-OF-WAY

When the traffic control signals are not in place or not in operation the driver of a vehicle, which, for the purposes of this article shall include bicycles. Upon approaching a pedestrian who is upon the traveled part of any way and not upon a sidewalk, every person operating a motor vehicle shall slow down. The person operating a motor vehicle on any way or a curve or a corner in said way where his/her view is obstructed shall slow down and keep to the right and upon approaching any junction of said way with an intersecting way shall, before entering the same, slow down and keep to the right of the center line. When turning to the right, a driver shall do so in the lane of traffic nearest to the right-hand side of the roadway and as close as practicable to the right-hand curb or edge of roadway. No person operating a vehicle that overtakes and passes a bicyclist proceeding in the same direction shall make a right turn at an intersection or driveway unless the turn can be made at a safe distance from the bicyclist at a speed that is reasonable and proper. When approaching for a left turn on a two-way street, an driver shall do so in the lane of traffic to the right of and nearest to the center line of the roadway and the left turn shall be made by passing to the right of the center line of the entering way where it enters the intersection from his/her left. When turning to the left within an intersection or into an alley, private road or driveway an driver shall yield the right of way to any vehicle approaching from the opposite direction, including a bicycle on the right of the other approaching vehicles, which is within the intersection or so close thereto as to constitute an immediate hazard. It shall not be a defense for a motorist causing an accident with a bicycle that the bicycle was to the right of vehicular traffic.

When approaching for a left turn on a one-way street, an driver shall do so in the lane of traffic nearest to the left-hand side of the roadway and as close as practicable to the left-hand curb or edge of roadway. No person shall open a door on a motor vehicle unless it is reasonably safe to do so without interfering with the movement of other traffic, including bicyclists and pedestrians. Whoever violates the preceding sentence shall be punished by a fine of not more than \$100.

Art. 8 Sec. 9 PASSING AT CROSSWALKS

No driver of a vehicle shall pass any other vehicle which has been stopped at a marked crosswalk to permit a pedestrian to cross a way, nor shall any driver enter a marked crosswalk until there is sufficient space on the other side of the crosswalk to accommodate the vehicle they are operating notwithstanding any traffic control signal indication to proceed.

Art. 8 Sec. 10 NO PASSING VEHICLE STOPPED FOR A PEDESTRIAN

Whenever a vehicle is stopped to permit a pedestrian to cross the roadway, the driver of another vehicle approaching from the rear, shall not overtake and pass stopped vehicle notwithstanding the provisions of any other section.

Art. 8 Sec. 11 OFFICERS TO ENFORCE PEDESTRIAN REGULATIONS

These pedestrian control regulations shall be enforced by all officers of the City.

Art. 8 Sec. 12 EXEMPTIONS

The provisions of these Rules and Regulations governing the use of the ways by pedestrians shall not apply to pedestrians actually engaged in work upon a roadway closed to travel or under construction or repair, to municipal, state, federal or public service corporation employees while in the performance of their duties, to officers engaged in the performance of their public duties or to pedestrians acting in an emergency when such emergency necessitates departure from any part of these Rules and Regulations.

Art. 8 Sec. 13 PENALTIES

Any person who violates the provisions of this article which deals with the proper use of ways by pedestrians, shall be punished as provided in Massachusetts General Laws, Chapter 90, Section 18A.

Art. 8 Sec. 14 EFFECT OF REGULATIONS

All existing rules and regulations governing the operation of vehicles or the use of ways by pedestrians which are inconsistent herewith are hereby expressly repealed. This repeal shall not, however, affect any punishment or penalty imposed or any complaint or prosecution pending at the time of passage hereof for any offense committed under any of the said rules and regulations hereby repealed.

If any section, sub-section, sentence, clause or phrase of these Rules and Regulations is for any reason unconstitutional, such decision shall not affect the validity of the remaining portion of these Rules and Regulations. The Traffic Commission of the City

hereby declare that they would have passed these Rules and Regulations and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional

Art. 8 Sec. 15 OBEDIENCE OF PEDESTRIANS TO RAILROAD SIGNALS

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

ARTICLE 9. TOWING OF MOTOR VEHICLES

Art. 9 Sec. 1 IN GENERAL

In accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 22 D of the as most recently added by Chapter 322 of the Acts of 1961, the Traffic Commission hereby enacts the following regulations authorizing the removal to a convenient place of vehicles parked or standing in such manner, or in such areas as are hereinafter described on any way under the control of the City. Vehicles specifically exempt by Chapter 322 of the Acts of 1961 shall not however, be subject to such removal. The personnel authorized to tow vehicles under this Article shall not be subject to the provisions of Section 120 D of Chapter 266. (TC 3/95)

Art. 9 Sec. 2 AUTHORIZATION OF POLICE

The moving or towing of any vehicle under the provisions of this Article shall be by and at the direction of the Chief of Police or such other officer(s) of the rank of Sergeant or higher as they may from time to time designate.

Art. 9 Sec. 3 FEES

The Traffic Commission hereby imposes upon the owner of any vehicle moved or towed to a convenient place, under the provisions of this Article, the following fees:

- (a) REMOVAL OR TOWING FEE – Rates established by the Massachusetts Department of Public Utilities. (TC 6/96)
- (b) STORAGE FEE – Rates established by the Massachusetts Department of Public Utilities. (TC 6/96)

Art. 9 Sec. 4 LIABILITY FOR DAMAGE DURING REMOVAL OR STORAGE

The contractor shall be liable to the owner for any damage arising out of negligence caused to a vehicle in the course of removal and storage.

Art. 9 Sec. 5 GENERAL PROHIBITION TOWING ZONES

No person shall stand or park or allow, permit or suffer any vehicle registered in his/her name to stand or park in any of the following places. Vehicles found in violation of the provisions of this section except those specifically exempt by law, shall be removed to a convenient place under the direction of an officer of the Police Department and the

owner of the vehicle so removed, or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of this Article. The owner of any vehicle removed or towed away under the provisions of this section shall also be subject to the penalties provided in Article I, Section 12 of these regulations.

- a. Upon any way in such a manner as to impede the removal or plowing of snow or ice.
- b. Upon any sidewalk.
- c. Upon any crosswalk.
- d. Upon any way within 30 feet of an intersecting way except alleys.
- e. Upon any way within 10 feet of a fire hydrant.
- f. On the roadway side of any vehicle stopped or parked at the edge or the curb of the way.
- g. In front of a public or private driveway.
- h. Within a crossover.
- i. Upon any way where the parking of a vehicle will not leave a clear and unobstructed lane at least 10 feet wide for passing traffic.
- j. Upon any way for a period of time exceeding 24 consecutive hours whether or not such vehicle is disabled and preparations are being made by owner or driver for its removal.
- k. Stopped, standing or parked in a designated tow zone. B-3684 6/79
- l. Upon any designated Emergency Artery during a declared emergency. B-3252
- m. Upon a way within 50 feet of a traffic control detector. E4-308-0162 5/85
- n. So as to interfere with street cleaning or any other public works operation. (TC 7/91)
- o. Illegally parked or standing vehicles upon any public way or public parking area, where handicapped parking signs have been placed, (in accordance with Schedule 6, attached hereto) (TC 10/94)
- p. Illegally parked or standing vehicles in a fire lane as established by the Fire Department, whether or not a fire is in progress. (TC 3/95)

Art. 9 Sec. 6 PARKING PROHIBITIONS, TOWING ZONES (See Schedule 3)

No person shall stand or park or allow, permit or suffer any vehicle registered in his/her name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth. Vehicles found in violation of the provisions of this section except those specifically exempted by law shall be removed to a convenient place under the direction of an officer of the Police Department and the owner of the

vehicle so removed, or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of this Article. The owner of any vehicle removed or towed away under the provisions of this section shall also be subject to the penalties provided in Massachusetts General Laws, Chapter 90, Section 20A.

The streets or portions thereof designated in Schedule 3 hereto appended and specifically incorporated in this section are declared to be TOW ZONES and all vehicles standing or parking on those streets or portions thereof may be removed according to this section as designated in said Schedule 3. Permit E-4-308-0303 6/86

Art. 9 Sec. 7 TOWING OF VEHICLES DUE TO CONSTRUCTION

Upon any way under reconstruction, repair, or repairing where “No Parking Tow Zone” signs have been placed or erected during the time of such work, provided that such “Tow Zone” signs shall have been placed at least 12 hours prior to the time the vehicle is to be towed. (TC 9/86)

Art. 9 Sec. 8 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING

In a prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prime facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Art. 9 Sec. 9 TOW AWAY ZONES

The Traffic Commissioner or such members of his/her staff as he/she may from time to time designate, or the Chief of Police or such Police officers as he/she may from time to time designate are hereby authorized, with such limitations as are, or may be hereinafter set forth, to remove or cause to be removed to some convenient place any vehicle parked or standing within the limits of any street under the jurisdiction of the City, in violation of any of the provisions set forth in these regulations; and in any place where official traffic signs prohibit the parking of vehicles provided such signs bear the legend “Tow-Away Zone” and in any place where official traffic signs prohibit the stopping or standing of vehicles provided such signs bear the legend “Tow Away Zone”.

When vehicles are removed as authorized in Paragraph (a) above, the owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage charges as follows:

- (a) REMOVAL OR TOWING FEE – Rates established by the Massachusetts Department of Public Utilities. (TC 6/96)
- (b) STORAGE FEE – Rates established by the Massachusetts Department of Public Utilities. (TC 6/96)
- (c) The contractor shall be liable to the owner for any damage arising out of negligence caused to a vehicle in the course of removal and storage.

- (d) The Emergency Communications Division shall keep a record of all vehicles towed or removed under the provisions of this section. Such record shall be retained for one (1) year and shall contain the following information:
- (1) The registration of the vehicle;
 - (2) The location from which it was towed and time and date of tow order;
 - (3) The location to which it was moved;
 - (4) Name of towing contractor, if any;
 - (5) Name and rank of officer who authorized towing

The provisions of this section shall not apply to any vehicle specifically exempt by Massachusetts General Laws, Chapter 40, Section 22D.

ARTICLE 10 PARKING METERS

Art. 10 Sec. 1 DEFINITIONS

A. PARKING METER - The words "Parking Meter" shall mean any mechanical or electromechanical device, not inconsistent with the provisions of this regulation and placed or erected on any public way or municipal off-street parking area within the City for the regulation of parking. Each parking meter installed shall indicate by proper legend the legal parking time established by this regulation and when operated shall at all times indicate the balance of legal parking time permitted and at the expiration of such period shall indicate illegal or overtime parking.

B. PARKING METER ZONE - The "Parking Meter Zone" shall mean and include any street or portion thereof or municipal off-street parking area upon which the City is hereby authorized to install Parking Meters. See Article 10, Section 3 (TC 12/13)

C. PARKING METER SPACE - The words "Parking Meter Space" shall mean any painted space being indicated by white lines within a parking meter zone, which is duly designated for the parking of a single vehicle or a row of vehicles by lines painted on the surface of the street or municipal off-street parking area. Parking shall not be allowed in any cross-hatched section that is used to separate parking meter spaces. (TC 12/13)

D. VEHICLE RESTRICTIONS – Only those vehicles registered as a passenger car (plate type PC) shall park at any designated long-term space (3 -12 hrs.) in a municipal off-street parking area. Penalty shall be for restricted parking. Only a Taxi registered vehicle shall park or stand at an authorized designated taxi stand as described by these Rules and Regulations (See Article V, Section 9; Schedule 7). Commercial vehicles may park at a parking meter space longer than 2 hours upon receiving a "Service Vehicle Parking Permit" from the Consolidated Public Works Department to perform temporary work in the area. (TC 6/98)

Art. 10 Sec. 2 PARKING METERS (See Schedule 8)

A. The Traffic Commission is authorized to establish Parking Meter Zones during such periods as are hereinafter specified or may from time to time hereafter be fixed by the Rules and Regulations, on any street or Municipal off-street parking area in which

parking is restricted. The Traffic Commission (1) may cause parking meters to be installed in such zones, including curb or street marking lines, and the Traffic Commission shall have charge of the regulation and operation thereof, and shall maintain such meters in good workable condition. The installation and operation of parking meters will be in accordance with Blanket Parking Meter Permit 1500, dated June 1, 1966, issued by the MassDOT (1) Traffic Commission inserted in place of City Clerk under Permit B-3992.

The fees shall be established through the authorization of the Traffic Commission for parking in parking meter zones and public parking lots. (See Schedule 8)

- B. Whenever any vehicle shall be parked next to a parking meter or use a ticket machine, the driver of the vehicle shall park within the areas designated by the curb or street marking lines as indicated for parallel parking and upon entering the parking space, deposit in the meter the required amount. It shall be a violation for any person to fail or neglect to deposit such payment, or fail to park within the limits designated. Such parking space may then be used by such vehicle during the time limited herein, according to the sum deposited, or by accepting the unexpired time on the meter. Such vehicle shall be unlawfully parked if it shall remain in such space beyond the period of time for which the driver shall have deposited such payment in the meter or ticket machine. It shall be a violation for any person to cause any vehicle to be parking in violation as provided in this paragraph.
- C. It shall be a violation for any person to deposit or cause to be deposited in a parking meter or ticket machine any payment for the purpose of extending the parking beyond the maximum time fixed by the provisions of Article 10, Section 4 of the Rules and Regulations.
- D. It shall be unlawful for any person not authorized to do so, to deface, injure, tamper with, open or willfully break, or impair the usefulness of any parking meter or ticket machine.
- E. It shall be the duty of members of the Police Department or Parking Control Officers, to take the parking meter number and the state vehicle registration number of all vehicles whose drivers violate the provisions of these Rules and Regulations. It is the purpose of these Rules and Regulations that the fees charged and collected by the operation of parking meters shall be used for the acquisition, installation, maintenance, policing and operation of parking meters, and the regulation of parking and other traffic activities incident thereto, as provided by and in accordance with Chapter 442, Acts of 1947, and amendments thereto. The Traffic Commission is hereby designated as the officer who shall have authority and it shall be their duty to collect or cause to be collected monthly or more often at their discretion, all payments deposited in the parking meters and ticket machines located in the City, and to inspect or cause to be inspected said parking meters and ticket machines weekly, or more often at their discretion, to see that they are in proper working order. They shall deposit all money collected in a special account in a Waltham Bank designated by the Traffic Commission to be known as "City of Waltham Parking Meter Account." The Traffic Commission is hereby authorized to employ such assistance, as may deem necessary to properly maintain the parking meters and ticket machines and to properly supervise the collection of the money deposited in the various parking meters and ticket machines in the City, and to keep records of all receipts and disbursements made by them.

The fees collected from parking meters and ticket machines shall be used only as provided in Chapter 442 of the Acts of 1947, and amendments thereto, and shall remain in separate account and shall not be used as receipts of the City.

In any municipal off-street parking area, whether or not parking meters or ticket machines are installed therein, parking is authorized only within a space duly designated for the parking of a vehicle by markings on the surface of the parking area and/or by the placement of Parking Meters and no parking is permitted in other parts of such parking areas. Violation of this section shall be considered as "Parking in a Restricted Area". Permit B-1929 3/73

A. Notwithstanding the provisions of these Rules and Regulations, parking meters shall not be erected, and parking meter spaces and parking zones shall not be established on any public street or parts of public streets in which parking is expressly prohibited by the provisions of these Rules and Regulations.

Main Street Meter Zone defined as within the following boundary:

Moody Street Meter Zone as defined as within the following boundary:

Revised thru December 31, 2013

MAIN STREET PARKING METER ZONE

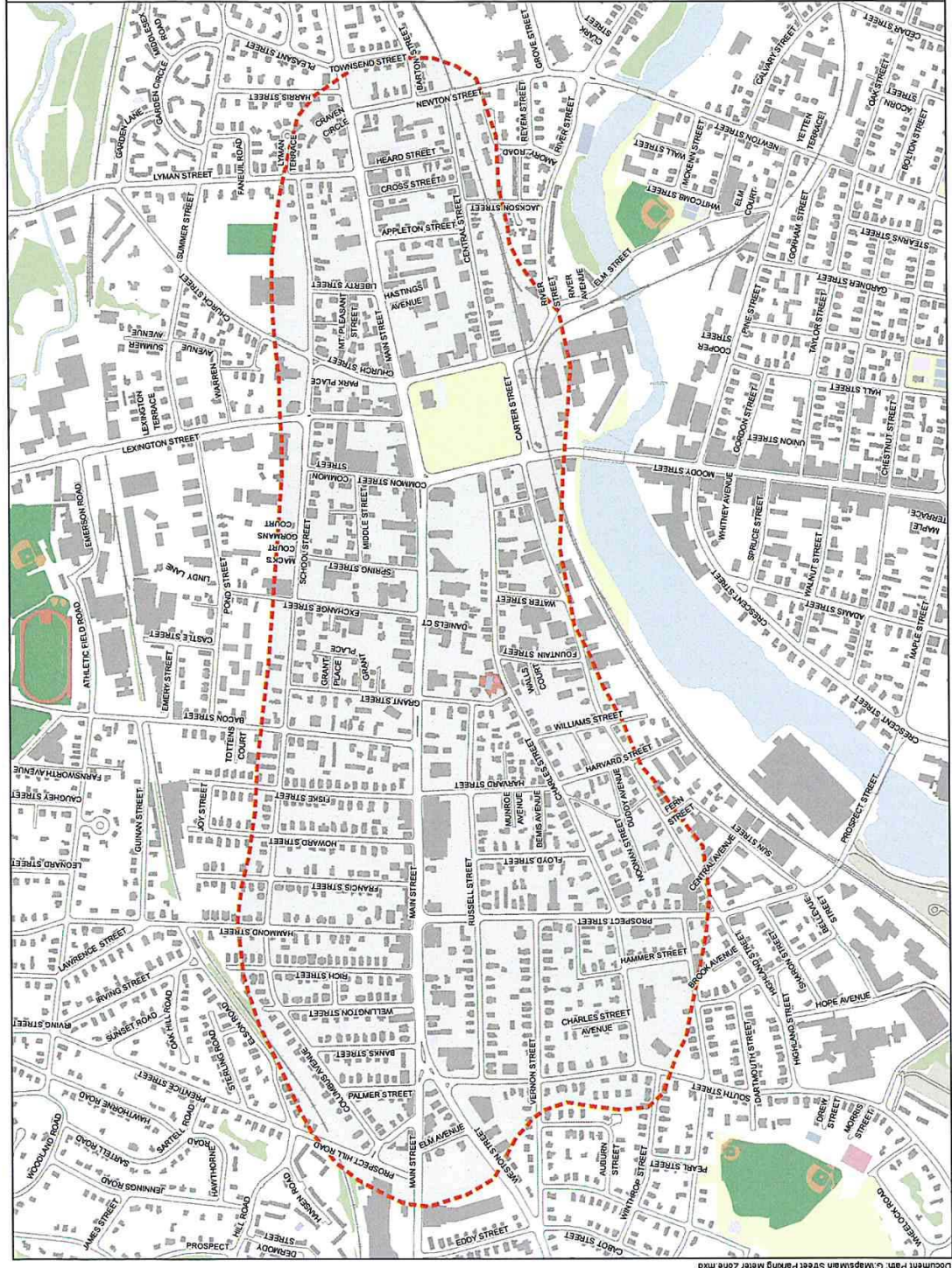
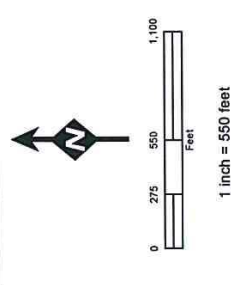


DISCLAIMER:
This map is for reference and planning purposes only. It is prepared for the inventory of real property within the City of Waltham and is compiled from tax maps, recorded deeds and plat. Users of this tax map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of information contained on this map. The City of Waltham and its employees and agents assume no legal responsibility for the information contained herein.

DATA SOURCE:
The digital planimetric base map data was developed by Chas H. Seitz, Inc. and is based on a spring 2001 1"=40' scale color orthophotograph. The printed data is as current as of January 2010. Map prepared by: Eric Rizzo.

Legend

- Parking meter zone
- Red Lines
- Building Footprints
- Cemetery
- Park



MOODY STREET PARKING METER ZONE



DISCLAIMER:

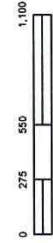
This map is for reference and planning purposes only. It is prepared for the inventory of real property within the City of Wallham. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of the information contained on this map. The City of Wallham and its mapping contractors assume no legal responsibility for the information contained herein.

DATA SOURCE:

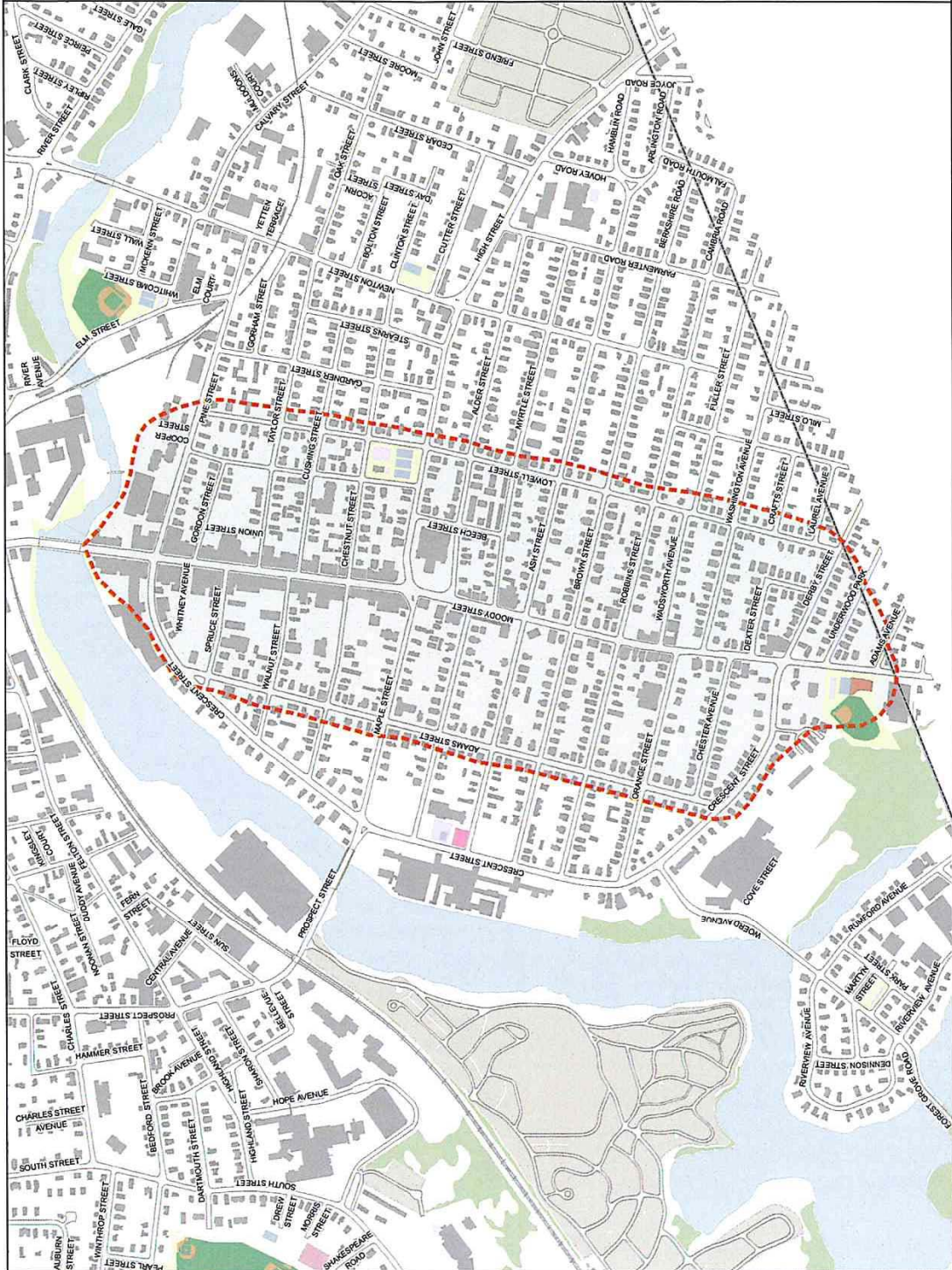
The digital planimetric base map data was developed by Chas H Sells, Inc. and is based on a spring 2001 1"=40' scale color orthophotographs. The planed data and are current as of January 2013. Map prepared by Eric Rizzo.

Legend

- Parking meter zone
- Rail Lines
- Building Footprints
- Cemetery
- Park



1 inch = 550 feet



Document Path: G:\Maps\Moody Street Parking Meter Zone.mxd

No person shall stop, stand, or park a vehicle within a parking meter space unless such vehicle is wholly within the painted lines adjacent to such meter. If no painted lines are present, a person at a dual meter in the drive-in stall, shall park with the front bumper perpendicular to the meter post, and in a back-in stall, with the rear bumper perpendicular to the meter post. A person shall park at a single meter with the front bumper perpendicular to the meter post. No fee shall be required to be deposited in a parking meter for the parking of any vehicle owned and driven by a disabled veteran, or by a handicapped person and bearing a distinctive number plate or placard authorized by Massachusetts General Laws, Chapter 90, Section 2; and no operator is required to deposit a fee while operating any vehicle owned and bearing indicia of ownership by a city/town, county, state or federal governments or a foreign diplomatic corps or consulate.

- (a) No person shall park a vehicle in any parking space upon a street alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter zone in which such meter is located unless a payment is provided in this regulation shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter has been placed in operation.
- (b) No person shall permit a vehicle within his/her control to be parked in any such parking meter space during the restricted and regulated time applicable to the parking meter zone in which such meter is located while the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a payment in such meter.
- (c) No person shall park a vehicle in any such parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, irrespective of the amount of payment deposited in such meter.
- (d) The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this regulation and the state vehicle code prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.
- (e) No driver, while operating any vehicle owned and bearing indicia of ownership by the city, state or federal governments, shall be required to deposit any fee in a parking meter as provided in this section, but such driver shall be subject to the parking time limits specified.
- (f) No fee shall be required to be deposited in a parking meter and no time limit shall be imposed as provided in this section for the parking of any vehicle owned and driven by a disabled veteran or by a person with disabilities and bearing a distinctive number plate or placard authorized by Massachusetts General Laws, Chapter 90, Section 2.
- (g) Any vehicle parking at an electronic meter, which displays the message "Out of Order" shall be prohibited, unless otherwise posted.

Art. 10 Sec. 5 UNAUTHORIZED USE / DAMAGE

No unauthorized person shall enter, tamper with, break, damage, or destroy any parking meter, or deposit or cause to be deposited in such meter any slug device, metallic substance, or any other substance as substitutes for the coins or payment required.

Art. 10 Sec. 6 HANDICAPPED / DISABLED VETERANS

Notwithstanding any other provision of these Rules & Regulations, no parking meter fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing the distinctive number plates or placard authorized by Massachusetts General Laws, Chapter 90, Section 2.

Art. 10 Sec. 7 MULTI-SPACE METERS

No owner or operator of any vehicle, upon entering a multi-space meter regulated parking space during the hours when multi-space parking meter zone is in effect shall fail to immediately deposit, or cause to be deposited the required payment according to either paragraph (a) or (b) listed below, except those vehicles owned and driven by a disabled veteran or owned and driven by a handicapped person and bearing a distinctive number plate or placard authorized by Massachusetts General Laws, Chapter 90, Section 2.

(a) PAY & DISPLAY

The motorist shall park their vehicle, proceed to the nearest meter, pay the required payment, then return to their vehicle to affix and display the paid receipt on the curbside window of the vehicle

(b) PAY-BY-SPACE

The motorist shall park their vehicle, proceed to the nearest meter, enter their space number and pay the required payment.

1: No owner or operator of any vehicle, upon entering a multi-space regulated parking space during the hours when the multi-space parking meter zone is effective as hereinafter provided, shall fail to immediately deposit, or cause to be deposited in said multi-space meter zone, the required payment, as approved by the Traffic Commission. Payment shall be made in the manner and amount as indicated on the multi-space and if so required, the operator shall return to their vehicle to affix and display the receipt on the curbside window of the vehicle.

2: When parking on a block regulated by multi-space Pay & Display meters and the nearest meter is out of order, unable to accept payment and/or issue a receipt, payment shall be made at the next available multi-space meter on the block. In no case shall parking in a multi-space meter area be allowed without payment, except as otherwise provided herein.

3: When parking on a block regulated by multi-space Pay & Display meters, motorists shall park their vehicles in alignment with the curb or street edge, rather than a meter pole, since no meter poles exist with multi-space Pay & Display technology.

ARTICLE 11

TRAFFIC-CONTROL DEVICES

Art. 11 Sec. 1 MANUAL AND SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES

All traffic control signs, signals and devices shall conform to specifications approved by the MassDOT and/or by the Federal Highway Administration Manual on Uniform Traffic Control Devices. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City. All traffic-control devices so erected by order of the Traffic Commission and non inconsistent with the provisions of state law or these Rules and Regulations shall be official traffic control devices.

Art. 11 Sec. 2 WHEN OFFICIAL TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES

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

Art. 11 Sec. 3 TRAFFIC CONTROL SIGNAL LEGEND

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors Green, Red and Yellow shall be used, except for special pedestrian signals carrying a word legend or approved symbol, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green Signals Indication

(1) Drivers of vehicles facing a circular green indication may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. However drivers of vehicles, including those 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.

(2) Drivers of vehicles facing a green arrow indication, shown alone or in combination with another indication may cautiously enter the intersection only to make the movement as is permitted by other indications shown at the same time. Such drivers shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(3) Unless otherwise directed by a pedestrian control signal as provided, pedestrians facing any green indication, except when the sole green indication is a turn arrow, may proceed across the roadway within any marked crosswalk, in the direction of the green indication.

(b) Steady Yellow Signal Indication

(1) While the yellow indication is illuminated, waiting drivers shall not proceed and any other driver approaching the intersection or marked stop line, shall stop

at such point unless so close to the intersection that a stop cannot be made in safety, provided however, that if a green arrow is illuminated at the same time, drivers may enter the intersection to make the movement permitted by such arrow.

(2) Pedestrians facing a steady yellow indication, unless otherwise directed by a pedestrian control signal as provided in Article 8, Section 4 are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(c) Steady Red Signal Indication

(1) Drivers of vehicles facing a steady circular red indication alone shall stop at a (i) clearly marked stop line, or if none, (ii) before entering the crosswalk on the near side of the intersection, or if none (iii) before entering the intersection. After stopping; the driver of the vehicle may make either (i) a right turn or (ii) if on a one-way street a left turn to another one-way street, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection except as provided below.

(2) No driver of a vehicle facing a red indication shall make a right turn where official "No Turn on Red" traffic signs are installed and maintained prohibiting such turn, at intersections as described in Schedule 20 incorporated herein and made a part hereof available at Traffic Engineering.

(3) No driver of a vehicle facing a red indication shall make a left turn from a one-way street into another one-way street, where official traffic signs are installed and maintained prohibiting such turn at intersections as described in Schedule 20 incorporated herein and made a part hereof available at Traffic Engineering.

(4) Unless otherwise directed by a pedestrian-control signal, pedestrians facing a steady red signal alone shall not enter the roadway.

(d) Pedestrian Signal Indication

Whenever the signal word "Walk" or approved walk symbol is illuminated, pedestrians facing such indication may proceed across the roadway and in the direction of such signal only.

(e) Mid-Block Signals

In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of the section 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.

Art. 11 Sec. 4 PEDESTRIAN CONTROL SIGNALS

Whenever special pedestrian control signals exhibiting the words "Walk", "Don't Walk" or approved symbol are in place, such signals shall indicate as follows:

Walk. Pedestrians facing such signals 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.

Flashing Don't Walk. No pedestrian shall 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 Flashing Don't Walk signal is showing.

Steady Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal.

Art. 11 Sec. 5 FLASHING SIGNALS

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by drivers of vehicles as follows:

Flashing Red (stop signal). When a red lens is illuminated with 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 shall be subject to rules applicable after making a stop at a stop sign.

Flashing Yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

This section shall not apply at railroad grade crossings.

Art. 11 Sec. 6 LANE DIRECTION CONTROL SIGNALS

When lane direction control signals are placed over the individual lanes of a street or highway, drivers of vehicles 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.

Art. 11 Sec. 7 TRAFFIC COMMISSION TO DESIGNATE CROSSWALKS AND ESTABLISH SAFETY ZONES

The Traffic Engineer is hereby authorized to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his/her opinion there is a particular danger to pedestrians crossing the roadway, and at such other places as he/she may deem necessary.

To establish safety zones of such kind and character and at such places as he/she may deem necessary for the protection of pedestrians.

Art. 11 Sec. 8 TRAFFIC LINES

The Traffic Engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

ARTICLE 12 SPEED REGULATIONS

Art. 12 Sec. 1 STATE SPEED LAWS APPLICABLE

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this City, except as these Rules and Regulations, as authorized by state law, hereby declare and determine upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in these Rules and Regulations described in Schedule 17 incorporated herein and made a part hereof available at Traffic Engineering, when signs are in place giving notice thereof.

ARTICLE 13 RULES OF THE ROAD

Art. 13 Sec. 1 FOLLOWING FIRE APPARATUS PROHIBITED

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 7A.

Art. 13 Sec. 2 CROSSING FIRE HOSE

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 7A.

Art. 13 Sec. 3 DRIVING THROUGH FUNERAL OR OTHER PROCESSIONS

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 272, Section 42.

Art. 13 Sec. 4 DRIVE ON RIGHT SIDE OR ROADWAY-EXCEPTIONS

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 1.

Art. 13 Sec. 5 OVERTAKING A VEHICLE ON THE LEFT

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 2.

Art. 13 Sec. 6 FURTHER LIMITATIONS ON DRIVING TO LEFT OF CENTER OF ROADWAY

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 4.

Art. 13 Sec. 7 NO-PASSING ZONES

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 89, Section 4.

**Art. 13 Sec. 8 OPERATION AT INTERSECTIONS WITH ISLANDS AND AT
SAFETY ZONES**

A vehicle passing around a rotary traffic island shall be driven only to the right of such Island.

At any intersection of ways or other place in which there are marked or permanent channelizing islands or safety zones, drivers of vehicles shall proceed only as indicated by signs, signals, or markings.

No person shall drive through or over or park a motor vehicle upon, any channelizing island or safety zone unless otherwise directed by a Police officer.

Art. 13 Sec. 9 DRIVING ON ROADWAYS LANES FOR TRAFFIC

For Law of the Commonwealth, See General Laws, Chapter 89, Sections 4A and 4B.

Art. 13 Sec. 10 DRIVING ON DIVIDED HIGHWAYS

Except on one-way streets, whenever any highway has been divided into two or more roadways by leaving an intervening space or by physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic-control devices or Police officers. No vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a cross-over or intersection as established.

Art. 13 Sec. 11 VEHICLE OPERATION AT CROSSWALKS

When traffic control signals are not in place or not in operation the driver of a vehicle, which for the purposes of this regulation shall include bicycles, shall yield the right of way, slowing down or stopping in need to be so to yield, to a pedestrian crossing the roadway within a marked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian approaches from the opposite half of the roadway to within 5 feet of that half of the roadway upon which the vehicle is traveling. No operator of a vehicle shall pass another vehicle which has been stopped at a marked crosswalk to permit a pedestrian to cross a way, nor shall any operator enter a marked crosswalk until there is sufficient space on the other side of the crosswalk to accommodate the vehicle he/she is operating notwithstanding any traffic-control signal indication to proceed.

The provisions of these Rules and Regulations and those drafted under the provisions of Massachusetts General Laws, Chapter 90, Section 18A, shall not in any way abrogate the provisions of Massachusetts General Laws, Chapter 90, Section 14 and 14A which provides: "Precautions for Safety of Other Travelers" and for the "Protection of Blind Persons Crossing Ways". Furthermore, notwithstanding the provisions of these Rules and Regulations every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon the roadway and shall give warning by sounding the horn when necessary and shall exercise proper precautions which may become necessary for safe operation.

Art. 13 Sec. 12 OPENING AND CLOSING VEHICLE DOORS

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

Art. 13 Sec. 13 PROHIBITED RIDING

No person shall ride on any portion of a motor vehicle not designed or intended for the use of passengers except in that part of a truck within which the load is usually carried.

No person shall board a moving vehicle without the consent of the person in charge thereof.

Art. 13 Sec. 14 UNATTENDED MOTOR VEHICLE

For Law of the Commonwealth, see Massachusetts General Laws, Chapter 90, Section 13.

Art. 13 Sec. 15 DROPPING OR LEAKING LOADS

For Law of the Commonwealth, See Massachusetts General Laws, Chapter 85, Section 36.

ARTICLE 14 HORSE DRAWN VEHICLES

Art. 14 Sec. 1 PERSONS DRIVING ANIMAL DRAWN VEHICLES

Every person driving any animal drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by these Rules and Regulations except those provisions of these regulations which by their very nature can have no application. No person shall drive an animal-drawn vehicle without special written permission from the Traffic Commission except when such a vehicle is driven during a permitted special event.

Art. 14 Sec. 2 CARRIAGE LICENSE / INSURANCE

Operators of animal drawn vehicles shall be licensed by the Mass Dept of Public Safety; shall be fully insured to operate on public streets and roads; and each driver shall hold a carriage driver's operators license issued by the Commonwealth, except when such a vehicle is driven during a permitted special event.

Art. 14 Sec. 3 DRIVING HORSES HARNESSSED TO DIFFERENT VEHICLES PROHIBITED

No person shall drive nor guide two or more horses harnesssed respectively to different vehicles.

Art. 14 Sec. 4 STANDING OF HORSE DRAWN VEHICLES

When a horse drawn vehicle is backed up to a curb, the horse or horses shall be turned so as to stand parallel with the sidewalk and headed in the general direction of travel for the side of the street on which the vehicle is standing.

No horse shall be left unattended for a longer period than 5 minutes in any street or highway unless he/she is securely fastened by being tied to a post or a weight or unless the wheel of the vehicle to which he/she is harnessed is securely tied, fastened or chained, and the vehicle is of sufficient weight to prevent its being dragged at a dangerous speed with the wheels so secured.

No person shall feed a horse in any street unless the wheels of the vehicle to which it is harnessed are securely fastened during that time.

Art. 14 Sec. 5 CARE IN DRIVING

No person when driving a vehicle with a horse or horses attached thereto shall cease from holding the reins in his hands to guide and restrain the same, nor, when not riding, cease from walking by the head of the shaft or wheel horse, either holding or keeping within reach bridle or halter thereof.

Art. 14 Sec. 6 CONDITION AND TREATMENT OF HORSES

No one shall drive a horse not in every respect fit for use and capable for the work on which it is employed and free from lameness and sores or any vice or disease likely to cause delay in traffic or accident or injury to persons or property.

No one shall ill treat, overload, overdrive or cruelly or unnecessarily beat any horse.

No one shall crack or so use a whip as to annoy, interfere with or endanger any person or excite any horse other than that which he/she is using.

No person having charge of a truck or a dray with an animal attached thereto shall drive the same at other than a moderate foot pace.

When operating on the public way, the use of a “diaper”, a simple bag-like device that catches manure as it is produced is required.

ARTICLE 15 REGULATIONS FOR SCOOTERS, INLINE SKATES, SKATEBOARDS AND ELECTRONIC PERSONAL ASSISTIVE MOBILITY DEVICE

Art. 15 Sec. 1 REQUIRED EQUIPMENT

Every scooter, inline skate, skateboard or electronic personal assistive mobility device operated upon a way shall be equipped with a braking system to enable the operator to bring the scooter, inline skate, skateboard or electronic personal assistive mobility device to a smooth safe stop within 15 feet on a dry, clean, hard, level surface.

Every operator of a scooter, inline skate, or skateboard operated upon a way shall wear a helmet that meets the requirements for safety as per the Massachusetts General Laws, Chapter 85, Section 11B and 11B ½.

Art. 15 Sec. 2 RIDING ON SIDEWALKS

Pedestrians have the right of way on all sidewalks. The operator of a scooter, inline skate, skateboard or electronic personal assistive mobility device shall yield to pedestrians in all traffic situations.

The operator of a scooter, inline skate, skateboard or electronic personal assistive mobility device shall ride at a speed no greater than an ordinary walking speed when on a sidewalk or while entering or exiting a sidewalk.

The operator of a scooter, inline skate, skateboard or electronic personal assistive mobility device shall give an audible warning before passing a pedestrian far enough in advance to allow the pedestrian time to react.

No person shall operate a scooter, inline skate, skateboard or electronic personal assistive mobility device on a sidewalk in a manner that endangers or would potentially endanger any person.

No person shall operate a scooter, inline skate, skateboard or electronic personal assistive mobility device on a way or on public property in a manner that damages, defaces or vandalizes public property.

Art. 15 Sec. 3 RIDING BANNED ON CERTAIN STREETS AND DISTRICTS

No person shall ride a scooter, inline skate, skateboard or electronic personal assistive mobility device on any sidewalk within a Business District as defined in Article 1.

No person shall ride a scooter, inline skate, skateboard or electronic personal assistive mobility device on any sidewalk, or, off-street parking lot, or any area under control of the City, and which has been posted with appropriate signs.

ARTICLE 16 REGULATIONS FOR MOTORIZED SCOOTERS

Art. 16 Sec. 1 REQUIRED EQUIPMENT

Every person operating a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City shall wear protective headgear conforming to the standards governing bicycles helmets.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City unless such motorized scooter is equipped with a breaking system to enable the operator to bring the scooter traveling at a speed of 15 miles per hour to a smooth safe stop within 30 feet on a dry, clean, hard level surface.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City unless the handlebars are below shoulder height of the operator.

Art. 16 Sec. 2 OPERATING REGULATIONS

A person under the age of 16 may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City at a speed in excess of 25 miles per hour.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City in a careless, reckless or negligent manner so as to endanger the life, safety of any person or the property of any other person.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City while under the influence of alcohol as set forth in General Laws, Chapter 90, Section. 24.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City in violation of any federal, state, or local traffic and parking laws, ordinances, rules, or regulations.

A person operating a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City may not permit any person to ride as a passenger on such scooter.

A person operating a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City may not pass or overtake another motorized scooter traveling in the same direction.

No person can park a motorized scooter in such a manner as to restrict safe and unobstructed access for pedestrians. No parked motor scooter shall impede access to persons with disabilities.

Art. 16 Sec. 3 RIDING BANNED IN CERTAIN AREAS

A person may not operate a motorized scooter upon any sidewalk, except as may be necessary to enter or leave adjacent property.

A person may not operate a motorized scooter upon any way, street, court, lane, and place under the control of the City prohibiting bicycles.

A person may not operate a motorized scooter upon any way, street, avenue, court, lane, and place under the control of the City with a posted speed limit greater than 30 m.p.h.

A person may not operate a motorized scooter on an off-street recreational bicycle path, park, playground or other City owned recreational facilities.

Art.16 Sec. 4 ENFORCEMENT

A person who is charged with violating this regulation shall give his/her name or address to the enforcing authority. A person who violates this section or knowingly permits another to violate this section shall be punished in the manner provided by

Massachusetts General Laws, Chapter 40, Section 21D. The Police Department is the enforcing authority for violations of this section.

This section shall not be construed to impair any common law or statutory cause of action or other legal remedy available to the City.

ARTICLE 17 EFFECT OF AND SHORT TITLE OF REGULATIONS

Art. 17 Sec. 1 EFFECT OF REGULATIONS

If any part or parts of these regulations are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of these Rules and Regulations.

Art. 17 Sec. 2 SHORT TITLE

These regulations may be known and cited as the Traffic Commission Rules and Regulations.

ARTICLES 18-20 RESERVED FOR FUTURE USE

ARTICLE 21 TAXICAB RULES AND REGULATIONS

The following Rules and Regulations are established and designed for the purpose of providing safe taxicab transportation and service to the general public in and within the City.

These Rules and Regulations have been adopted by the Traffic Commission of the City. In adopting these rules, the commission has acted under the power granted to it by Chapter 18 of the General Ordinances of the City. The Traffic Commission has acted in accordance with all provisions of the Massachusetts General Laws and with all provisions of the General Ordinances of the City.

TRAFFIC COMMISSION

Keith D. MacPherson
Thomas Magno
Tim Kelly
Michael Chiasson
Rosario Malone
Chief Paul Ciccone
Catherine Cagle

Acting Chief of Police, Chair
City Treasurer, Vice-Chair
Inspector of Wires
Consolidated Public Works Director
City Clerk
Fire Chief
Planning Director

Frank S. Lombardo
J. Michael Garvin, P.E.
Lisa Gerlach

Clerk of the Commission
Traffic Engineer
Asst. to the Traffic Engineer

SECTION I DEFINITIONS

Wherever used, the following words shall have the following interpretation:

ORDINANCE	Chapter 18, Articles I, II, III of the General Ordinances of Waltham.
COMMISSION	The Traffic Commission of the City of Waltham.
POLICE CHIEF	Chief of Police of the City of Waltham.
OWNER	Owner of a vehicle to which a taxicab registration has been issued.
REGISTRATION	Written permit issued by the Chief of Police in accordance with the provisions of the ordinance, allowing the vehicle, to which it is assigned, to be operated in and with in the City.
MEDALLION	Registration medallion issued by the Chief of Police bearing the legend "Taxicab" and the number of the registration identification card issued to the registered owner.
LICENSE	Written permit issued by the Chief of Police in accordance with the provisions of the ordinance, allowing the holder to operate a taxicab in an within the City.
DRIVER	A person to whom a license to operate a Taxicab within the City has been issued and whose license continues to be valid.
TAXICAB	Every motor vehicle used or to be used for the conveyance of persons for hire from place to place within the City, except street or elevated railway cars, buses, or a motor vehicle known as a jitney, or a vehicle operated as sight-seeing vehicle or a vehicle hired for a funeral or wedding, shall be deemed to be a taxicab within the meaning of this chapter. (Ord. No. 23182, § 83, 4 - 24 -1972)

SECTION II APPLICATION FOR REGISTRATION

1. Filing

No person, firm or corporation shall set up and use a taxicab without first having filed application with the Chief of Police for the registration of such taxicab nor until such registration has been issued by the Chief of Police.

2. Eligibility

The Chief of Police shall not accept an application from an applicant who is not

- a) 18 years of age or over, or
- b) who cannot read, write and speak the English language intelligibly, or
- c) who is addicted to the use of intoxicating liquors or narcotic drugs or
- d) is a registered Sex Offender or
- e) subject to such terms and conditions that the Traffic Commission or the Chief of Police with its approval, shall from time to time prescribe.

3. Credentials

An applicant for a registration or renewal shall present for examination in the case of each taxicab.

- a) A copy of a valid certificate of registration issued by the Registrar of Motor Vehicles of the Commonwealth of Massachusetts.
- b) A taxicab meter certification from the Sealer of Weights and Measures of the City.
- c) A copy of a business certificate as a registered with the Waltham City Clerk's Office.
- d) A certificate of insurance as provided for in Chapter 18, Section 28 of the General Ordinances of the City.
- e) Receipt from City Hall Treasurer's Office for payment of registration.

4. Responsibility

Owners of company's shall submit yearly a current list of drivers still employed by them to the Chief of Police or his/her designee for efficiency of records.

SECTION III OPERATION

1. Operator of Taxicab

No person, firm or corporation shall allow a properly registered taxicab to be operated for hire by, nor be under the control of, a person who does not possess a Massachusetts driver's license and a Waltham Taxicab drivers license.

2. Qualification of Driver

Before employing a driver, the owner must submit a letter of "intent to hire" to the Police Department who will check his/her operator's license issued by the Registrar of Motor Vehicles.

3. Failure of Driver to Comply with Rules

No owner shall allow a driver to operate a taxicab when the driver does not meet the prescribed minimum standards of dress and appearance, as set forth in these Rules and Regulations

4. Requirements and Conditions of Taxicabs

An owner shall not register a taxicab or permit a taxicab to be operated unless the following criteria have been met:

- a) The vehicle is structurally sound and operates with a minimum of noise and vibration.
- b) The body, fenders, doors, trim, and grills are free of cracks, breaks, and dents.
- c) The seats function properly and are free of tears.
- d) The vehicle is inspected, repaired and cleaned inside and out by the owner at least once a week.
- e) The doors can be opened easily from the cab.

- f) The taxicab is a sound vehicle as determined by the Chief of Police or his/her designee. Prior approval from the Chief of Police or his/her designee must be obtained to determine if the vehicle is acceptable to be set up as a taxicab. The Chief of Police or his/her designee may also determine when a vehicle is no longer suitable to remain a taxicab.
- g) The taxicab is equipped with air conditioning in good working order.
- h) The taxicab is at least a 4 door sedan or a station wagon capable of carrying 4 passengers and luggage.
- New i) No vehicle shall be allowed to remain in service as Taxicab that is older than 10 model years.**
- j) Commonwealth of Massachusetts Inspection Sticker or Certificate of Inspection: A serially numbered, adhesive sticker, device, or symbol, as may be prescribed by the Registrar of Motor Vehicles, indicating a motor vehicle has met the inspection requirements established by the Registrar of Motor Vehicles for issuance of a certificate.

5. Identification of Cab

An owner shall not paint the vehicle in color or design so as to resemble other taxicabs. All taxicabs, using the same business name, must be painted with identical colors and identical markings and in such a way as to be obviously distinguishable from another company. The registration of any taxicab found to be in violation of this rule shall be suspended. Upon re-inspection and approval by the Chief of Police or his/her designee, said registration may be reinstated.

6. D/B/A

Any owner doing business shall have its business name registered in the City Clerk's Office, City Hall, and a copy of the Business Certificate shall be filed with the Chief of Police.

7. Waybill

Each owner or driver shall keep on a form (waybill) approved by the Chief of Police, a record of every fare from the point of origin to the point of destination; the time; the number passengers; and the fee collected. The waybill must be made out by the driver. Waybills must be kept for a period of not less than 1 year and shall be made available to the Chief of Police or a Police officer within 5 days from the date of any request for them.

8. Change or Transfer of Certificate of Vehicle Registration

Upon any change/transfer of the Certificate of Vehicle Registration of a taxicab issued by the Registrar of Motor Vehicles, or change/transfer of vehicle, the owner shall immediately present such certificate together with the old taxicab registration, and the new vehicle to the Chief of Police and a corrected registration will be issued.

9. Display of License and Rate Card

It shall be the responsibility of every owner to display the current fare rate cards on the inside of the vehicle, in clear view of the passengers. It is the responsibility of the Taxicab Driver to display his/her own Taxicab License at all times while operating a Taxicab and the photo ID side must be visible to the passenger

10. Change of Address

When an owner changes address or the place at which a taxicab is garaged, written notice of such change shall be given the Chief of Police within 24 hours of such change.

New 11. Be Equipped for Credit Card Processing

All taxicabs shall be equipped with an electronic credit card capability at all times. Such equipment shall list fare, tolls, fees, and tips separately for processing purposes. Such equipment shall have the ability to electronically authorize the transaction in a timely manner. Such equipment will provide a printed receipt. Any Taxi that does not have a functioning credit card reader, shall be deemed unfit for service.

No driver shall refuse to accept a credit card payment for a fare and no driver may demand a fee above the fare in return for accepting a credit card payment.

(Massachusetts General Laws, Chapter 140D, Section 28a)

SECTION IV TAXICABS

1. Inspection

Prior to registration, all taxicabs shall be thoroughly inspected in regard to general appearance and mechanical condition. Periodic inspection in this regard will be made by the Chief of Police or his/her designee.

2. Registration

The Commonwealth of Massachusetts Vehicle Registration must bear an address in the City. A taxicab shall be registered from the true legal address at which it is garaged and in no case from a taxi stand. If an owner changes his/her address or place of business he/she shall notify the Chief of Police or his/her designee, within 3 business days.

3. Condition

Taxicabs must at all times be in good condition, suitable for occupancy and mechanically fit for the safety of passengers. Interior and exterior shall be clean and sanitary at all times. Any damage to the vehicle must be repaired within a reasonable time, as determined by the Chief of Police or his/her designee.

4. Exterior Identification

Every taxicab shall have the name or the trade name of the owner and WALTHAM painted on the sides thereof in letters not less than 4 inches high and ½ inch wide.

5. Number

Every taxicab shall have a cab number painted on the rear of the vehicle between the rear side window and the back window, and on the front fenders of each cab. This number shall bear the same number as the medallion number issued to it.

6. Trouble Light

Every taxicab shall be equipped with a "Trouble Light". The light shall be attached to the "Roof Dome Light", and this device will flash by the touching of a button or switch from inside the cab by the driver. The purpose of such device is to indicate that the driver requests assistance from the Police or other law enforcement officer.

7. Copy of Taxicab Rule and Regulations

A copy of these Rules and Regulations shall be kept in the taxicab and shall be shown to passengers upon request.

8. Riders

No person other than the driver of the taxicab shall ride or sit in the front seat of the taxicab unless the rear seat is fully occupied by passengers. This provision shall not apply to passengers who must sit in the front seat for physical or health reasons.

9. Periodic Inspections

The Chief of Police, a Police officer, or a member of the Traffic Commission, may inspect a taxicab at any time or at any location.

If in the question of any of those persons authorized to inspect, the taxicab is in violation of any condition of these Rules and Regulations, said taxicab shall be removed from service and the medallion shall be confiscated by the officer conducting the inspection of said taxi. Said medallion shall be returned to the Community Services Division licensing officer. An appointment shall be set up for a second inspection in one weeks time. If at that time the taxi in question fails said inspection, the medallion may be forfeited by its owner. If within the one-week re-inspection, the taxi is found to be operating without said medallion, the operator and owners taxi license and medallion may be permanently revoked.

Every taxicab shall be inspected not less than every 6 months by the Licensing Authority to insure the continued maintenance of safe operating conditions of the taxicab as defined in these rules.

New 10. Lease / Rent

The rental of a taxicab is expressly prohibited. Lease of a taxicab is allowed but only when such a lease is approved by the Chief of Police.

New 11. No Disabling Locks

The Driver shall ensure that there are no rear compartment disabling locks and ensure that passengers are able to exit at any time

SECTION V MEDALLION

1. Display

Every taxicab shall have affixed on the vehicle a medallion and said medallion shall be placed in the lower right side rear of the vehicle. Only the medallion assigned to the vehicle for the current registration period shall be displayed. Said medallion shall be removed only by the Chief of Police or his/her designee.

2. Other Attachments

No plate or number other than the medallion, and telephone number of the dispatching company, if any, shall be printed or affixed to the rear of the taxicab. Advertising and other displays (Web Sites) may be allowed but only when the same is approved in writing by the Chief of Police.

3. Transfer

A registration medallion and card granted for a particular taxicab shall apply to no other vehicle except the one designated therein. If anytime a taxicab becomes inoperative such registration medallion and card shall not be transferred without the consent of the Chief of Police or his/her designee.

4. Loss of Medallion

In the event a medallion is lost or misplaced, the owner must immediately notify the Chief of Police and receive written permission to operate the taxicab until the medallion has been replaced. The fee for replacement of the lost or misplaced medallion shall be \$50.00. This section shall not apply to a medallion that has been reported to the appropriate authority as stolen.

5. Assignments

No medallion shall be assigned or transferred without first obtaining the consent of the Chief of Police or his/her designee. **No medallion shall be sold (they are the property of the City of Waltham).** Violation of this section shall be cause for revocation of the medallion.

6. Surrender of Medallion

When an owner ceases to own a taxicab, an owners taxicab is out of service 10 or more days for repairs, the owner shall at once surrender the medallion and medallion registration to the Chief of Police, unless consent to its sale, assignment or transfer has been obtained from the Chief of Police. The medallion and medallion registration shall be returned when the taxicab is repaired and has been inspected by the Police Department.

7. Medallion Expiration and Renewal

All registration medallions and all registration cards expire annually on December 31st. Credentials for medallion renewals are to be submitted between December 1st through December 15th. Applications received after December 15th will not be processed until all other renewal application have be processed. Upon renewal applicants must submit the following to the Police Department for processing.

- 1) Current certificate of insurance reflecting insurance coverage for a one year period
- 2) Current meter seal
- 3) Vehicle registration
- 4) Current Business Certificate
- 5) A paid receipt from City Treasurers Office for applicable renewal fee

8. Revocation or Suspension

The Chief of Police or his/her designee may suspend or revoke any registration/medallion, for the violation of any law, ordinance, rule or regulation having a reasonable relationship to the conduct of the registered business. The sanction imposed pursuant to this section shall be reasonable in relation to the offense.

9. Failure to Utilize Medallion

If for any reason a Medallion is not used to license a vehicle for use as a Taxicab for more than 3 months in any calendar year, the medallion must be surrendered to the Licensing Authority.

SECTION VI

TAXIMETER

1. Approval by Sealer

No vehicle shall be registered as a taxicab until its taximeter has been officially approved and sealed by the Sealer of Weights and Measures. Upon order of the Chief of Police, the taximeter shall be inspected on a semi-annual basis. If a taxi does not have a fully functioning taximeter, it shall be deemed unfit for service as a taxicab. **A missed taxi seal appointment shall be subject to a re-inspection fee of \$100.00 and possible loss of medallion for a period of 10 days.**

2. Periodic Inspection

The Chief of Police, in conjunction with the Sealer of Weights and Measures, is hereby authorized either on a complaint of any person or without such complaint, to inspect any taximeter in any taxicab. Upon discovering an inaccuracy in the taximeter, the Chief of Police shall notify the person operating such taxicab and the owner of the taxicab to cease operation of said vehicle. The vehicle shall be kept off the streets until the taximeter has been repaired, re-inspection and resealed.

In such instance, the taximeter shall be repaired properly and the taxicab returned to service within 5 days after notice to cease operating.

3. Cleanliness

The face of the taximeter shall be clean at all times.

4. View

An unobstructed view of the taximeter shall be provided to a passenger at all times

5. Illumination

After sundown the face of every taximeter shall be illuminated by a suitable light, so arranged, as to throw a continuous steady light on it.

6. Recording Position

Every driver shall place the taximeter in a recording position as soon as they take on a passenger and shall keep the taximeter in a recording position so long as said taxicab is engaged.

7. Fare – Number of Passengers

The driver shall not demand from any passenger more than the fare recorded on the taximeter, regardless of the number of passengers conveyed. Violation of this section is ground for immediate suspension/revocation of the taxicab medallion.

8. Repairs

It shall be unlawful for any person, except a licensed meter repair person to tamper with or attempt to make any repair to a taximeter or any seal, cable, connection, or part thereof, or make any change in the vehicle's mechanism or its tires which would affect the operation of the of the taximeter.

9. Malfunction

When a taximeter is not operating correctly or becomes inoperative during use: The passenger, shall be immediately notified and at the passengers request, the driver, shall continue the trip to the final destination after the estimate fare (which must be reasonable) has been agreed upon. In such cases, an appropriate trip record entry will be made at which time the driver must return to the garage. Then:

- 1) The taxicab shall immediately be taken out of service.
- 2) It shall not be returned to service until the taximeter has been replaced and the new taximeter sealed.
- 3) The defective taximeter must be repaired and resealed by the Sealer of Weights and Measures.

10. Transfer

No taximeter shall be transferred from one taxicab to another without prior approval by the Chief of Police or his/her designee, such meter must, upon transfer be, resealed by the Sealer of Weights and Measures.

SECTION VII LICENSE

1. Requirement

No person shall drive nor shall have control of a taxicab for hire unless they have first been issued a Waltham Taxicab drivers license.

2. Qualifications

No person **shall be** licensed as a Waltham Taxi driver who:

- 1) Is not at least 18 years of age
- 2) Cannot read, write and speak the English language intelligibly, and are citizens of the United States, or have declared their intention of becoming a citizen or posses and Alien Registration Card, or possesses a work visa.
- 3) Does not possess an original Birth Certificate, Alien Card, Asylum Document, U.S. Passport or Naturalization papers.

New

- 4) Has not possessed a valid driver's license for a period of 1 year.**
- 5) Is addicted to the use of intoxicating liquors or narcotic drugs.
- 6) Has a Sex Offense.
- 7) Assault and Battery on a Police Officer.
- 8) Illegal possession of firearm.
- 9) Has a criminal record within the past 5 years/civil violations within the past 2 years as enumerated below:
 - a) Conviction of a felony/serious misdemeanor
 - b) Conviction of operating a motor vehicle under the influence of alcohol or drug or both
 - c) Violation of Parole or Probation
 - d) Controlled substance offense
 - e) Four **court** appearances for motor vehicle law violations within the last 2 years
 - f) Presently on parole or probation
 - g) License suspension within the last 2 years**

- h) For any justifiable cause shown, in addition to those specifically enumerated
- New** i) has not have any outstanding or unresolved driving infractions which could result in the applicants Driver's license being suspended or revoked in any jurisdiction
- New** j) has not have any dispositions for a criminal offense, in any jurisdiction, that would result in the denial of a license, including admissions to sufficient facts or continues of an offense without resolution, unless the circumstances of such incident are reviewed by the Chief of Police or his/her designee as to the specific facts and circumstances and the applicant is thus approved by the Chief of Police
- New** k) has not have any outstanding or unresolved criminal court cases in any jurisdiction which could result in the license being denied if the applicant was convicted of the alleged offense
- l) Any person who submits an application for a license, or to renew a license, with untruthful, deceptive or fraudulent information shall have their license application or their renewal application denied immediately

All license applicants must be suitable individuals in addition to meeting the above requirements. **Nothing herein shall limit the Chief of Police's power to deny an application or renewal application should he determine that the applicant is not a suitable Taxicab Driver**, As the courts have held, such determinations of the Chief of Police as to who is suitable may not be arbitrary and capricious.

3. Revocation and Suspension

A Waltham taxicab driver's license may be revoked or suspended for any one of the following reasons:

- a) Conviction for violation of any criminal statute
- b) Violation and conviction of any City ordinance
- c) Violation of these Rules and Regulations
- d) Conviction for violation of any State or Federal Law relative to the illegal sale, possession, or delivery of intoxicating liquor or drug
- e) Conviction for reckless driving/operating under the influence of alcohol/drug, negligent operation, or other serious motor vehicle violation
- f) Conviction of four or more moving traffic citations during the last 2 years
- g) When a citation has been issued and/ or an arrest has been made for a serious motor vehicle violation, (example, OUI, reckless, etc.) Said, license shall be reinstated upon a favorable disposition of the case, provided all other restrictions are inapplicable
- h) For revocation or suspension of a drivers license
- i) For any justifiable case show, in addition to those specifically enumerated
- New** j) For not maintaining an Immigrations and Customs Enforcement (ICE) Employment Authorization Card

4. Reissue of License

Any driver whose taxicab driver's license has been revoked, must file for a new license to operate in Waltham. A hearing will then be set before the Chief of Police. The applicant must produce relevant evidence that another license should be issued to them. No application shall be considered prior to 12 months following the date of revocation.

5. License Renewal

All licenses to operate taxicabs expire annually on December 31st. Application for renewal must be received between December 1st through December 15th. Applications received after December 15th will not be processed until all other renewal applications have been processed. Upon renewal applicants must submit the following to the Police Department for processing.

A paid receipt from the City Treasurers Office for applicable renewal fee.

SECTION VIII DRIVERS

1. Operation of a Taxicab

A driver shall operate their taxicab in accordance with the laws of the State, the Ordinances of the City, and these Rules and Regulations. No driver may operate a vehicle not approved by the Chief of Police as a Taxi and no driver may pick up passengers in violation of these Rules and Regulations.

2. Courtesy to Authorities

Driver shall be respectful to and shall answer fully and civilly any questions put to him/her by any Police officer or other City official in the performance of his/her duty. A driver is required to answer as directed all communication and summonses from the Chief of Police and shall answer all pertinent questions directed to him/her by any proper authority hearing. When the driver's presence is required, he/she shall bring his/her taxicab driver's license with him/her. If said driver is also the owner of the taxicab, he/she shall also bring the Massachusetts Vehicle Registration and City registration.

3. Photograph

The driver shall appear as in his/her photograph displayed on the taxicab driver's license. If the photograph shows eyeglasses or other distinctive markings or features, they shall be worn or maintained while on duty. A new photograph shall be taken without display if the driver's appearance has changed.

4. Dual Employment

A driver may be employed by more than one taxi company at the same time within the Commonwealth, provided he/she immediately reports such employment to the Chief of Police or his/her designee. A driver may not drive 2 consecutive 8 hour shifts within a 24 hour period.

5. Safety of Taxicab

A driver shall not knowingly operate a taxicab that is unsafe for passenger service.

6. Drugs

No driver shall take a prescription drug while on duty which may impair the driver's ability to operate the taxicab safely.

7. Alcohol

Drivers, while on duty, shall not consume or possess alcoholic beverages. He/She shall not allow any open container of alcohol in the Taxi.

8. Controlled Substance

Drivers, while on duty, shall not purchase, sell use or possess any controlled substance, or give information as to where such substance may be illegally obtained. (Controlled substances are defined in Massachusetts General Laws, Chapter 94C).

9. Smoking

A driver shall not smoke a cigar, cigarette, or pipe while transporting passengers, if requested by a passenger to refrain from smoking.

10. Condition of Driver

A driver shall be refused work by his employer, if in the opinion of the employer the driver has reported in an intoxicated or unstable state.

11. Appearance

Every driver of a licensed taxicab in a public place shall be suitably and professionally dressed, neat and clean in appearance. No ripped or torn clothing or clothing imprinted with profanity, offensive language or offensive images is allowed while a driver is in charge of a taxicab. The following articles of clothing are considered inappropriate when worn as outer garment and are not permitted, when the taxicab driver, male or female, is in charge of a licensed Waltham taxicab:

- a) T-Shirts
- b) underwear
- c) tank tops
- d) body shirts
- e) swimwear
- f) jogging suits or similar types of attire
- g) bathing trunks; or
- h) jogging shorts

12. Courtesy to Passengers / Other Drivers / Other Motorists

Every driver shall treat customers in a professional, respectful and courteous manner at all times. They are required to answer fully and civilly any questions asked by any Police Officer or Parking Enforcement Officer in the performance of their duties and shall obey all their lawful commands.

13. Interference

No driver of such taxicab shall seek a fare by repeatedly and persistently driving his/her vehicle to and from a short distance or otherwise interfering with the proper and orderly access to egress from any theater, hall, hotel, public resort, railroad station, or other place of public gathering.

14. Acceptance of Passenger

A driver may accept a passenger while driving through any public street or place provided he/she is hailed by a customer

15. Public Stand

Every driver shall observe the following rules when using public stand:

- 1) Take proper position in rear of taxicab line. Overcrowding, crashing, or backing on to line will not be permitted.
- 2) Any driver has the right to stop and take a position on any stand where there is a vacancy.

- 3) The driver shall sit on the driver's seat of his/her vehicle ready to be hired at once at all times that said taxicab is a public stand.
- 4) As soon as any taxicab leaves a public stand all other taxicabs shall immediately move up in line so that the only vacant space shall be in the rear of the last taxicab.
- 5) No taxicab driver shall make or permit anyone else to make any repairs to his/her taxicab while on a public stand. A driver may perform small cleaning tasks while on a public stand.
- 6) No driver shall sit in the rear passenger compartment of a taxicab and shall permit no one else to sit there except passengers.
- New** 7) No driver shall park his/her car in a double line at a public stand nor shall any driver park his/her vehicle in such a manner as to interfere with traffic, vehicular or pedestrian, at any location, at any time.

The foregoing provisions shall not be construed to prevent any person from selecting any taxicab that he/she may desire on the stand whether is it at the head of the line or not.

16. Solicitation

No driver shall solicit or pick up, unless hailed, any passenger within 50 feet of an established public stand when there are taxicabs on the said stand.

17. Use of Public Stand

No more than two taxicabs of a company or of an association using the same business name may park at a public taxi stand if a taxi of another company wished to park there unless special permission is obtained from the Chief of Police.

18. Interference with Traffic

No driver shall park his/her taxicab in a double line at a public stand nor shall any driver park his taxicab in such a manner as to interfere with the free flow of traffic, both vehicular and pedestrian.

19. Curbing Taxicab

Every driver of a taxicab shall pull his/her vehicle into the curb when picking up or discharging passengers.

20. Direct Route

A driver shall use the most direct available route on all trips except when requested by the passenger(s) to take an alternative route to the destination.

21. Records

Every driver must have a form approved by the Chief of Police, to keep a record of all trips made together with a list of all articles found in the taxicab. This record shall be kept by the owner of the taxicab or if dispatched by a radio service, such company providing said radio service shall keep such record.

22. Attendance to Vehicle

Every driver shall remain with said vehicle while it is idle, unless he/she shall be necessarily absent there-from in the course of his/her duty and business as such driver, but in no event longer than 30 minutes. At no time shall a driver park his/her vehicle at a parking meter while awaiting a fare. If the driver is away from his/her vehicle for a meal break, he/she may park his/her vehicle at a parking meter provided he/she pays the meter. No driver may leave his/her taxicab unattended on a public stand.

23. Police Reports

Every driver shall report to the Police Department any suspicious action of passengers or conditions that he/she may observe

24. Revocation / Suspension of License

A driver shall immediately report the suspension or revocation of his/her Massachusetts driver's license to the Chief of Police, and he/she shall thereupon surrender his/her taxi license to the Chief of Police. Upon notification by the Registry of Motor Vehicles that a Massachusetts driver's license has been suspended or revoked, the Chief of Police or his/her designee will immediately revoke or suspend the taxicab driver's license. Said taxicab driver's license shall be reinstated at the discretion of the Chief of Police upon removal of the suspension or revocation of said Massachusetts driver's license. **Failure to comply may result in a lifetime suspension of said taxi license.**

25. Change of Address

When a driver of a taxicab changes his/her address or his/her place of employment, he/she shall within 3 business days of such change notify the Chief of Police or his/her designee.

26. Surrender of License

Any driver who shall cease to be a driver shall at once surrender his/her license to the Chief of Police or his/her designee.

27. Lost Property

Any taxicab driver who finds in his/her taxicab any article of value presumably belonging to a passenger shall, within 24 hours report the finding thereof to the officer in charge of the Police station, and deliver the same to him/her. The Chief of Police or his/her designee shall undertake to find the owner thereof. If unable to determine ownership, property shall be kept for safe keeping by the Waltham Police Department, in accordance with Massachusetts General Laws.

28. Illegal Parking

No driver shall park in unauthorized parking spaces, for example handicap parking spaces, and if found in violation of this section, the driver is subject discipline by the Chief of Police or his/her designee.

No driver in charge of a taxicab while awaiting employment by passengers shall park his/her taxicab on any public street or place other than at a public taxi stand and he/she:

1. Shall Not Double Park
2. Shall Not Park in a "No Parking Zone"
3. Shall Not park at expired parking meters

New 29. Cellular Phone Usage

A taxicab driver may not use a cellular telephone for any purpose, including text messaging, while the taxicab is occupied by a passenger except in emergency situations, to verify a passenger's destination, or to receive a call for service. Utilizing a cellular phone while transporting a passenger jeopardizes public safety, the passenger's safety, and hinders the passenger's ability to communicate with the driver and other passengers.

SECTION IX

PASSENGERS

1. Right to Transportation

Transportation shall not be refused to any passenger on the basis of race, sex, religion, disability, sexual orientation, national origin, or location of the passenger's pick-up or destination in any circumstance except under any of the following conditions:

- 1) When another driver has reason to believe that the person is under the influence of alcohol or drugs
- 2) When the driver has reason to believe that the person is under the influence of alcohol or drugs
- 3) When a person is disorderly
- 4) When the driver has reason to believe that the person is a carrier of a contagious disease
- 5) When the person represents a danger to the safety of the driver or his/her ability to drive the vehicle in a safe manner
- 6) When the person requires the use of a stretcher
- 7) When it is necessary to take the taxicab out of service for repairs or to replace defective equipment.

2. Discretion of Driver

At his/her discretion, a driver may accept or refuse a call when a person is escorting any animal, except that the call may not be refused is:

- 1) The animal is properly and adequately secured in a kennel case or other suitable container which would not cause damage to the interior of the taxicab, or
- 2) The person is blind or disabled and is accompanied by a properly harnessed or muzzled guide dog

No charge shall be made for transporting an animal if accompanied by a passenger

3. Suitcase, Etc.

There shall be no charge for hand baggage. A charge may be made for the carrying of suitcases or trunks at the rate of 50 cents minimum, up to a maximum of \$1.00 each suitcase or trunk. **(Note: food/shopping bags shall be exempt of all above charges)**

4. Dual Occupancy

A passenger shall not be picked up or carried after the taxicab has been occupied by any prior passenger without the consent of such prior passenger, until such prior passenger shall have discharged said taxicab. Such prior passenger shall not be obliged or requested to pay any extra fare for refusing such content.

5. Sharing a Cab

Passengers may share a taxicab from Waltham hotels to Logan International Airport only, at the flat rate per person for two or more passengers currently in effect

6. Toll Charges

The passenger must pay all toll charges both ways.

7. Disorderly Conduct

When a passenger becomes noisy or otherwise disorderly while in a taxicab, and persists in such conduct after warning, the driver may appeal to any Police officer who

shall assist him/her in any lawful way, and, if in possession of the necessary evidence, shall prosecute the offending passenger. The Police shall observe with particular care the matters to which this rule relates and shall report thereon to the proper authority.

SECTION X PUBLIC TAXICAB STANDS

The following are established as public Taxicab Stands (TC 9/13)

Carter Street Parking Lot, 4 spaces within lot where designated

Carter Street, 5 spaces, south side, 10 feet west of the lot exit to a point 100 feet west

Chestnut Street Parking Lot (north side), 2 spaces within lot where designated, Monday-Saturday 8AM-6PM Only

Old South Street, 2 spaces, from South Street, north 80 feet

Prospect Street, 1 space, west side, 60 feet north of Russell Street

Railroad Parking Lot, 2 spaces, within lot where designated

APPENDIX A

ACTS 1965 – Chapter 93

AN ACT ESTABLISHING A TRAFFIC COMMISSION IN THE CITY OF WALTHAM

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the City of Waltham, hereinafter called the City, a Traffic Commission, hereinafter called the Commission, to consist of the Chief of Police, the City Engineer, the Chief of Fire Department, the Planning Director and the City Clerk.

SECTION 2. The Chief of Police shall act as the chairman of the Commission and shall be known as the Traffic Commissioner. All expenses incurred for the purpose of this act shall be paid by the City. All statutes and ordinances applicable generally to the departments of the City shall apply to the Commission.

SECTION 3 The Commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to pedestrian traffic and to vehicular street traffic in the City, and to the movement stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the City, including rules and regulations designating any way or part thereof under said control as a throughway under and subject to the provisions of Section 9 of Chapter 89 of the General Laws, and may prescribe penalties not exceeding \$50 dollars for the violation of any rule or regulation adopted hereunder. No such rule or regulation, except such special rules and regulations as are declared by vote of the Commission to be urgently required by considerations of public safety or convenience or such as are of a temporary nature and are to be effective for a period of not more than 30 days, shall take effect until published for 2 successive weeks in one or more newspapers published in the City. Upon petition of 25 registered voters of the City relative to any rule or regulation adopted or proposed to be adopted under this section, the Commission shall hold a public hearing thereon within 10 days after the filing with the Commission of such petition, and final action thereon shall be determined only by vote of a majority of the entire membership of the Commission. The Commission shall have power to erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of such traffic in the City and for informing and warning the public as to rules and regulations adopted hereunder, subject, however, to Section 2 of Chapter 85, and to Sections 8 and 9 of said Chapter 89, of the General Laws. Nothing in this act shall be construed to authorize the Commission to adopt any rule or regulation excluding the trackless trolley vehicles or busses of a street railway or bus company from any way or part thereof in which it has a location or to modify or limit any power or authority of the Metropolitan District Commission, of the State Department of Public Works or of the department of Public Utilities, or any power now vested in the Mayor, City Council or heads of departments with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks.

SECTION 4 All existing ordinances and regulations relating to the control of vehicular traffic shall remain in full force and effect until superseded by rules and regulations adopted by the Commission under this act and the adoption thereof by the

Commission shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending, at the time of said adoption.

SECTION 5 This act shall take effect upon its acceptance during the current year, by the City and shall remain in effect until its acceptance is revoked, as provided in Section 6.

SECTION 6 At any time after the expiration of 2 years from the date of acceptance of this act, such acceptance may be revoked by the affirmative vote of a majority of the City Council of said City. Upon such revocation all existing rules and regulations of the Traffic Commission shall remain in full force and effect until superseded by ordinances and regulations adopted in accordance with the provisions of law then applicable to said City, and neither such revocation nor such adoption of superseding ordinances or regulations shall affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending prior to said adoption.

Approved March 2, 1965.

(**See MGLA Chapter 40, Section 21 & Chapter 90, Section 20A1/2 for amended fees.)

ACTS 1972 – Chapter 177

AN ACT REMOVING THE CITY ENGINEER FROM THE TRAFFIC COMMISSION IN THE CITY OF WALTHAM AND PROVIDING FOR THE APPOINTMENT OF THE DIRECTOR OF PUBLIC WORKS AND FORESTRY AND THE INSPECTOR OF WIRES OF SAID CITY TO SAID COMMISSION

Be it enacted, etc., as follows:

Chapter 93 of the Acts of 1965 is hereby amended by striking out Section 1 and inserting in place thereof the following section:-

SECTION 1. There is hereby established in the City of Waltham, hereinafter called the City, a Traffic Commission, hereinafter called the Commission, to consist of the Chief of Police, the Director of Public Works and Forestry, the Chief of Fire Department, the Planning Director, the City Clerk and the Inspector of Wires. Approved April 13, 1972

ACTS of 1974 – Chapter 665

AN ACT RELATIVE TO LANE USAGE BY VEHICLES AT CERTAIN INTERSECTIONS OF PUBLIC WAYS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 14 of Chapter 90 of the General Laws is hereby amended by adding the following two paragraphs: -

The department, on ways within their control and at the intersection of state highways, and other ways, the Metropolitan District Commission, on ways within their control and at the intersection of Metropolitan District roadways, except state highways, and other ways, the Traffic and Parking Commission of the City of Boston, the Traffic Commission or Traffic Director of any city or town having such Commission or director with authority to promulgate traffic rules, the City Council of any other city, and the Board of

Selectmen of any other town may provide for the placing of traffic control devices in accordance with the department standards to indicate the course of travel by vehicles turning at such intersection for lane usage set forth in this section.

Such regulations and devices shall be, so far as applicable, subject to the provisions of Section 2 of Chapter 85. Approved July 31, 1974

ACTS 1976 – Chapter 143

AN ACT FURTHER REGULATING THE TRAFFIC COMMISSION IN THE CITY OF WALTHAM

Be it enacted, etc., as follows:

SECTION 1. Section 1 of Chapter 93 of the Acts of 1965, as amended by Chapter 177 of the Acts of 1965, is hereby further amended by inserting after the word “Wires”, in line 5, the words:- and the Mayor who shall serve as its chairman.

SECTION 2. Said Chapter 93 is hereby further amended by striking out Section 2 and inserting in place thereof the following section:-

SECTION 2. The Commission may appoint a Traffic Commission, whose appointment shall be subject to the confirmation of a majority of all members of the City Council. The Traffic Engineer shall serve at the pleasure of the Commission. The duties shall include the coordination of all traffic control activities, including, but not limited to, the following:

- (a) Traffic Engineering analyses, traffic signal timing, traffic signs, and markings, intersection designs and other standard Traffic Engineering practices;
- (b) Bus routing, schedules and bus stop locations;
- (c) On-street and off-street parking, including related enforcement activities, particularly with regard to priority, timing and type of enforcement; and
- (d) Pedestrian and bicycle safety.

SECTION 3. Said Chapter 93 is hereby further amended by adding the following section:-

SECTION 7. All expenses incurred for the purpose of this act, shall be paid by the City. All statutes and ordinances applicable generally to the departments of the City shall apply to the Commission.
Approved May 28, 1976

ACTS 1986 – Chapter 421

AN ACT RELATIVE TO THE TRAFFIC COMMISSION OF THE CITY OF WALTHAM

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the Acts of 1965 is hereby amended by striking out Section 1, as most recently amended by Chapter 143 of the Acts of 1976, and inserting in place thereof the following section:-

SECTION 1. There is hereby established in the City of Waltham, hereinafter called the City, a Traffic Commission, hereinafter called the Commission, to consist of the Chief of Police, who shall be chairman, the Wires Inspector, the Public Works

Director, the Chief of the Fire Department, the City Clerk, the Planning Director and the Civil Defense Director.

SECTION 2. This Act shall take effect upon its passage. Approved October 10, 1986

ACTS 1986 – Chapter 689

AN ACT FURTHER REGULATING THE PLACEMENT AND MAINTENANCE OF CERTAIN TRAFFIC CONTROL DEVICES BY CITIES AND TOWNS

Be it enacted, etc., as follows:

SECTION 1 Section 2 of Chapter 85 of the General Laws, as appearing in the 1984 Official Edition is hereby amended by inserting after the word “thereto”, in line 3, the words:- and therefore,_ and by striking out, in lines 7 and 8, the words “accepted standards of engineering practice” and inserting in place thereof the words:- the department’s current Manual on Uniform Traffic Control Devices.

SECTION 2. Said Section 2 of said Chapter 85, as so appearing, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following five sentences:- Except as hereinafter provided, any rule, regulation, order, ordinance or by-law of a city or town hereafter made or promulgated relative to or in connection with the erection or maintenance of signs, traffic control signals, traffic devices, school zones, parking meters or marking on any way within its control shall take effect without department approval provided such signs, traffic control signals, traffic devices, parking meters, school zones or markings are in conformance with the department’s current Manual on Uniform Traffic Control Devices and the department’s current Manual on Uniform Traffic Control Devices and the department’s sample regulation for a standard municipal traffic code; provided, however, that such rule, regulation, order, ordinance or by-law shall not take effect until approved in writing by the department, or be effective after such approval is revoked, if made or promulgated relative to or in connection with the following: (1) any way at its intersection or junction with a state highway; (2) any project which is or was federally aided, in whole or in part; (3) any traffic control signal or flasher in any city or town which does not employ a registered professional engineer in the Commonwealth to design, redesign or change the timing and sequence of signal or flasher; (4) any sign excluding heavy commercial vehicles; (5) any school zone establishment or signing in relation to which the city or town intends to seek reimbursement from the Commonwealth; (6) any one-way street sign which would prohibit the free flow of two-way traffic between adjoining cities or towns on a through way or main way, as determined by the department, or any one-way street sign which would not be placed at an intersection of public ways. Notwithstanding the foregoing, speed controls signs may be established only in accordance with the provisions of Section 18 of Chapter 90. If any city or town installs and maintains any of the aforesaid traffic control devices without either requesting or obtaining the required approval or after being notified of such disapproval, or in noncompliance with said manual, the department shall withhold or withdraw the unexpended balance of any funds assigned to the said city or town under the provisions of Section 34 of Chapter 90 or Sections 25 and 26 of Chapter 81. Any traffic control device which has not been erected or maintained in accordance with the foregoing provisions may be removed by or under the direction of the department and be stored by the department until claimed by the owner or, if not claimed within 60 days after written notice to said owner, may be disposed of at the discretion of the department.

Color and arrow indications of traffic control signals shall have the commands ascribed to them in said manual.

SECTION 3. The first paragraph of Section 8 of Chapter 89 of the General Laws, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The foregoing provisions of this section shall not apply when an operator is otherwise directed by a Police officer, or by a traffic regulating sign, device or signal lawfully erected and maintained in accordance with the provisions of Section 2 of Chapter 85 and, where so required with the written approval of the Department of Public Works and while such approval is in effect.

SECTION 4. Said Section 8 of said Chapter 89 is hereby further amended by striking out the second paragraph, as amended by Section 2 of Chapter 232 of the Acts of 1986, and inserting in place thereof the following paragraph:-

At any intersection on ways, as defined in Section 1 of Chapter 90, in which vehicular traffic is facing a steady red indication in a traffic control signal, the driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk or the near side of the intersections of, if none, then at the entrance to the intersection in obedience to such red or stop signal, may make either (1) a right turn or (2) if on a one-way street may make a left turn to another one-way street, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection, except that a city or town, subject to Section 2 of Chapter 85, by rules, orders, ordinances, or by-laws, and the Department of Public Works on state highways or on ways at their intersections with a state highway, may prohibit any such turns against a red or stop signal at any such erected at such intersection giving notice thereof. Any person who violates the provisions of this paragraph shall be punished by a fine of not less than \$20 dollars.

SECTION 5. Section 9 of said Chapter 89, as appearing in the 1984 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The Department of Public Works may designate any state highway or part thereof as a through way and may designate intersections of other roadway junctions with state highways at which vehicular traffic on one or more roadways should stop or yield and stop before entering the intersection of junction and the department may, after notice, revoke any such designation. The Department of Public Works on any state highway or part thereof so designated as a through way, or on any way where the department has designated such way as intersecting or joining with a state highway, shall erect and maintain stop signs, yield signs and other traffic control devices.

SECTION 6. Said Section 9 of said Chapter 89, as so appearing, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The local authorities of a city or town authorized to enact ordinances or by-laws, or make rules, orders or regulations under the provisions of Section 21 of Chapter 40 may in accordance with the provisions of Section 2 of Chapter 85 of the General Laws, including department approval when required, designate any way or part thereof under the control of such city or town as a through way and may designate intersections or other roadway junctions at which vehicular traffic on one or more roadways shall stop or yield and stop before entering the intersection of junction, and may, after notice and like department approval, when required, revoke any such designation. Such local

authorities of a city or town having control of any way or part thereof so designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections of junctions.

SECTION 7. Section 17 of Chapter 90 of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Unless a way is otherwise posted in accordance with the provisions of Section 18, it shall be prima facie evidence of a rate of speed greater than is reasonable and proper as aforesaid (1) if a motor vehicle is operated on a divided highway outside a thickly settled or business district at a rate of speed exceeding 50 miles per hour for a distance of a $\frac{1}{4}$ of a mile, or (2) on any other way outside a thickly settled or business district at a rate of speed exceeding 40 miles per hour for a distance of a $\frac{1}{4}$ of a mile, or (3) inside a thickly settled or business district at a rate of speed exceeding 30 miles per hour for a distance of $\frac{1}{8}$ of a mile, or (4) within a school zone which may be established by a city or town as provided in Section 2 of Chapter 85 at a rate of speed exceeding 20 miles per hour.

SECTION 8 Section 18 of said Chapter 90, as amended by Section 18 of Chapter 608 of the Acts of 1986, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The City Council, the Transportation Commission of the City of Boston, the Board of Selectman, Park Commissioners, a Traffic Commission or Traffic Director, or the department, on ways within their control, may make special regulations as to the speed of motor vehicles and may prohibit the use of such vehicles altogether on such ways; provided, however, that except in the case of a speed regulation no such special regulation shall be effective unless it shall have been published in one or more newspapers, if there be any, published in the town in which the way is situated, otherwise in one or more newspapers published in the county in which the town is situated; nor until after the department, and in the case of speed regulations the department and the registrar, acting jointly, shall have certified in writing that such regulation is consistent with the public interests; provided, however, that nothing herein contained shall be construed as affecting the right of the Metropolitan District Commission or of the Department of Environmental Management to make rules and regulations governing the use and operation of motor vehicles on lands, roadways and parkways under its care and control.

SECTION 9. Said Section 18 of said Chapter 90, as amended by said Section 18 of said Chapter 608, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Any person, corporation, firm or trust owning a private parking area or owning land on or abutting a private way, or any person, corporation, firm or trust controlling such land or parking area, with the written consent of the owner, may apply in writing to the City Council, the Traffic Commission of a city or town having a Traffic Commission, the Transportation Commission of the City of Boston or the Board of Selectmen in any town in which the private way or parking area lies, to make special regulations as to the speed of motor vehicles and as to the use of such vehicles upon the particular private way or parking area, and the City Council with the approval of the Mayor, the Traffic Commission of a city or town, the Transportation Commission of the City of Boston or the Board of Selectmen, as the case may be, may make such special regulations with respect to said private way or parking area to the same extent as to ways within their control and such special regulations shall not be subject to approval by the department or the registrar; provided, however, that any traffic signs, signals, markings or devices

used to implement such special regulations shall conform in size, shape and color to the most current manual on uniform traffic control devices.

SECTION 10. Any rule, regulation, order, ordinance or by-law of a city or town presently in effect on the effective date of this act which the Department of Public Works has given prior approval, under the provisions of Section 2 of Chapter 85 of the General Laws, shall continue in effect. Any rule, regulation, order, ordinance or by-law which would require approval of the department under the provisions of said Section 2 of said Chapter 85 shall continue in effect; and all those which have prior approval of the department shall remain in effect without further approval. Approved January 7, 1987

ACTS of 1998 – Chapter 117

AN ACT RELATIVE TO THE TRAFFIC COMMISSION OF THE CITY OF WALTHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 93 of the Acts of 1965 is hereby amended by striking out section 1, as most recently amended by Chapter 421 of the Acts of 1986, and inserting in place thereof the following section:-

Section 1. There is hereby established in the city of Waltham, hereinafter called the City, a Traffic Commission, hereinafter called the Commission, to consist of the Chief of Police, who shall be chairman, the Wires Inspector, the Public Works Director, the Chief of the Fire Department, the City Clerk, the Planning Director and the Treasurer/Parking Clerk.

SECTION 2. This Act shall take effect upon its passage. Approved May 14, 1998.

ACTS of 2008 – Chapter 76

AN ACT FURTHER REGULATING PARKING FOR HANDICAPPED PERSONS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Clause (23) of Section 21 of Chapter 40 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) Parking spaces designated as reserved under paragraph (a) shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense". The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the architectural access board established in Section 13A of Chapter 22. The cross hatch access aisle abutting a handicapped parking space shall be considered part of the handicapped

parking space to which it abuts to provide individuals who use wheelchairs or other mobility aids with sufficient space to enter and exit their vehicles. No person shall park in the cross hatched access aisle.

SECTION 2. Said Section 21 of said Chapter 40, as appearing, is hereby further amended by inserting after the word “the”, in line 177, the following words:- or.

SECTION 3, The second paragraph of Section 22A of said Chapter 40, as appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 3 sentences:-

Parking spaces designated as restricted under this paragraph shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words “Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner’s Expense”. The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the architectural access board established in Section 13A of Chapter 22. If parking spaces designated as restricted under this paragraph are made temporarily unavailable due to a construction project or other planned event, the city or town shall ensure that the nearest available non-reserved parking space, if any, shall be temporarily designated as restricted under this paragraph

Approved April 10, 2008

APPENDIX B

MGLA Chapter 85, Section 11B

AN ORDINANCE AMENDING CHAPTER 17 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED "SIDEWALKS, PUBLIC WAYS, PUBLIC PLACES, PRIVATE WAYS AND PARKING AREAS" AS FOLLOWS:

Chapter 17 of the General Ordinances of the City of Waltham, entitled "SIDEWALKS, PUBLIC WAYS, PUBLIC PLACES, PRIVATE WAYS AND PARKING AREAS," Article I entitled "In General," as most recently amended, is hereby further amended by adding the following new sections:

SEC. 17-27 Bicycles; operation and equipment; regulations; federal product safety standards, effect; races; violations; penalties

Every person operating a bicycle upon a way, as defined in Section 1 of Chapter 90, shall have the right to use all public ways except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that:

- (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way,
- (2) the bicycle operator shall signal by either hand his intention to stop or turn; provided, however, that signals need not be made continuously and shall not be made when the use of both hands is necessary for the safe operation of the bicycle, and
- (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Operators of bicycles shall be subject to the following regulations:

- (1) Bicyclists riding together shall not ride more than 2 abreast but, on a roadway with more than 1 lane in the direction of travel, bicyclists shall ride within a single lane. Nothing in this clause shall relieve a bicyclist of the duty to facilitate overtaking as required by Section 2 of Chapter 89 of the General Laws of Massachusetts.
- (2)
 - (i) The operator shall ride only upon or astride a permanent and regular seat attached to the bicycle; a passenger shall ride only upon or astride a permanent and regular seat attached to the bicycle or to a trailer towed by the bicycle.
 - (ii) The operator shall not transport another person between the ages of one to four years, or weighing 40 pounds or less, on a bicycle, except in a "baby seat", so-called, attached to the bicycle, in which such other person shall be able to sit upright; provided, however, that such seat is equipped with a harness to hold such other person securely in the seat and that protection is provided against the feet or hands of such person hitting the spokes of the

wheel of the bicycle; or upon or astride a seat of a tandem bicycle equipped so that the other person can comfortably reach the handlebars and pedals. The operator shall not transport any person under the age of one year on said bicycle.

(iii) Any person 16 years of age or younger operating a bicycle or being carried as a passenger on a bicycle on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the United States Consumer Product Safety Commission. These requirements shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in an accident.

(iv) A violation of clause (ii) or (iii) shall not be used as evidence of contributory negligence in any civil action.

- (3) The operator shall give an audible warning whenever necessary to insure safe operation of the bicycle; provided, however, the use of a siren or whistle is prohibited.
- (4) The operator shall park his bicycle upon a way or a sidewalk in such a manner as not to obstruct vehicular or pedestrian traffic.
- (5) The operator shall not permit the bicycle to be drawn by any other moving vehicle. The operator shall not tow any other vehicle or person, except that bicycle trailers properly attached to the bicycle which allow for firm control and braking may be used.
- (6) The operator shall not carry any package, bundle or article except in or on a basket, rack, trailer or other device designed for such purposes. The operator shall keep at least one hand upon the handlebars at all times.
- (7) Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of fifteen miles per hour to a smooth, safe stop within thirty feet on a dry, clean, hard, level surface.
- (8) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display to the front of his bicycle a lamp emitting a white light visible from a distance of at least 500 feet, and to the rear of said bicycle either a lamp emitting a red light, or a red reflector visible for not less than 600 feet when directly in front of lawful lower beams of headlamps on a motor vehicle. A generator powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.
- (9) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display on each pedal of his bicycle a reflector, or around each of his ankles reflective material visible from the front and rear for a distance of 600 feet, and reflectors or reflective material, either on said bicycle or on the person of the operator, visible on each side for a distance of 600 feet, when directly in front of lawful lower beams of headlamps of a motor vehicle. This

clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required by clauses (8) and (9).

- (10) No bicycle shall be operated upon a way with handlebars so raised that the operator's hands are above his shoulders while gripping them. Any alteration to extend the fork of a bicycle from the original design and construction of the bicycle manufacturer is prohibited.
- (11) The operator of a bicycle shall report any accident involving either personal injury or property damage in excess of \$100 dollars, or both, to the Police Department.

Any federal product safety standards relating to bicycles which are more stringent than the requirements of clauses (7) through (10), inclusive, shall supersede said requirements.

Competitive bicycle races may be held on public ways, provided that such races are sponsored by or in cooperation with recognized bicycle organizations and, provided further, that the sponsoring organization shall have obtained the approval of the City Police Department. Special regulations regarding the movement of bicycles during such races, or in training for races, including, but not limited to, permission to ride abreast, may be established by agreement between the Police Department and the sponsoring organization.

Violations of any provision of this section except violations of subclause (iii) of clause (2) shall be punished by a fine of \$20.00 dollars. The parent or guardian of any person under age 18 shall not authorize or knowingly permit any such person to violate any of the provisions of this section. A bicycle operated by a person under the age of 18 in violation of this section may be impounded by the Police Department for a period not to exceed 15 days. A violation of any provision of this section by a minor under the age of 18 shall not affect any civil right or liability nor shall such violation be considered a criminal offense.

MGLA Ch.85: 11E

SEC. 17-28 Traffic law violations by bicyclists

A Police officer who observes a traffic law violation committed by a bicyclist may request the offender to state his/her true name and address. Whoever, upon such request, refuses to state his/her name and address or whoever states a false name and address or a name and address which is not his/her name and address in ordinary use, shall be punished by a fine of \$50.00 dollars. An offender who refuses to state his/her true name and address may be arrested without a warrant for such refusal but no person shall be arrested without a warrant for any other traffic law violation committed while operating a bicycle. A Police officer shall use the ticketing procedure described in Chapter 90C to cite a bicyclist for a traffic law violation but the violation shall not affect the status of the bicyclist's license to operate a motor vehicle nor shall it affect the bicyclist's status in the safe driver insurance plan. When a citation is issued to a bicyclist, it shall be clearly indicated on the ticket that the violator is a bicyclist, and failure to do so shall be a defense to the violation.

The parent or guardian of a person under 18 years of age shall not authorize or knowingly permit that person to violate this section. A violation of this section by a person under 18 years of age shall not affect any civil right or liability nor shall the violation be a criminal offense. If the offender is under 16 years of age, the officer may give the notice to the parent or guardian of the offender.

All fines collected pursuant to this section shall be used for the development and implementation of bicycle safety programs.

Be given a first reading

**CHAPTER 17 OF THE WALTHAM GENERAL ORDINANCES ENTITLED "PUBLIC WAYS, SIDEWALKS, PUBLIC PLACES, PRIVATE WAYS AND PARKING AREAS"
SEC: 17-84. REGULATIONS OF PARKING AREAS FOR THE VEHICLES OF
DISABLED VETERANS OR HANDICAPPED PERSONS**

A. Reserved parking spaces generally; authorized license plates required. Any person or body having ownership and/or lawful control of improved or enclosed property designed for and/or used as an off-street parking area serving business establishments, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings or any other place or area where the public has a right of access as invitee or licensee, shall reserve parking spaces in said places or area for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by G.L. Section 2, Chapter 90 or for any vehicle transporting a handicapped person and displaying the special identification plate authorized by Section 2 of Chapter 90 or for any vehicle bearing the official identification of a handicapped person issued by any other state, or any Canadian Province. This ordinance shall be binding upon all such places and areas whether the same be owned by and/or under the control of governmental agencies, and education, charitable and religious institutions.

B. Number of required parking spaces. Spaces so reserved in such place or area for disabled veterans and/or handicapped persons, or vehicles shall be in accordance with the following provisions.

1. If the number of parking spaces is more than 15 but less than 25, one parking space;
2. More than 25 but not more than 40, 5% of such spaces but not less than 2;
3. More than 40 but not more than 100, 4% of such spaces but not less than 3;
4. More than 100 but not more than 200, 3% of such spaces but not less than 4;
5. More than 200 but not more than 500, 2% of such spaces but not less than 6;
6. More than 500 but not more than 1,000, 1 ½% of such spaces but not less than 10;
7. More than 1000 but not more than 2000, 1% of such spaces but not less than 15;
8. More than 2000 but not more than 5000, ¾% of 1% of such spaces but not less than 20;
9. More than 5000, ½ of 1% of such spaces but not less than 30.

C. Signs. Parking spaces designated as reserved under the provisions of Subsection (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed At Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be 12 feet wide or two 8 foot wide areas with 4 feet of cross hatch between them.

D. Unauthorized use of parking spaces. No vehicle, not bearing a distinguishing license plate authorized by G.L. Section 2, Chapter 90 shall be left unattended within parking spaces so reserved, under Subsection (a) for use by disabled veterans or handicapped persons.

- E. Vehicles obstructing curb ramps. No vehicle shall be left unattended in such places and/or areas as described in Subsection (a). hereof, in such a manner as to obstruct a curb ramp constructed therein for use by handicapped persons as a means of egress to a street or public way.
- F. Penalty for violations. The penalty for the violation of this ordinance shall be not less than \$25 dollars or not in excess of \$100 dollars.

APPENDIX: C

RELATED STATE TRAFFIC LAWS

Chapter 40, Section 21 Requiring that designated spaces for disabled veterans or by persons with disabilities be provided in public and private off-street parking area. (Establishes the formula of the number of disability spaces required in a public or private lot and dimensions of said parking spaces.)

Chapter 40, Section 22A Parking meters, fees; exemption from fees for disabled veterans and persons with disabilities; restricted parking areas for veterans and persons with disabilities. (Establishes exemption from fees for vehicles displaying plate or placard and penalty for vehicles parked illegally in a disability parking space.)

Chapter 40, Section 22D Vehicles parked in violation of law; removal. (Allows cities to tow away/remove vehicles parking in or obstructing handicapped parking spaces on public property).

Chapter 85, Section 9 Designation of highways as through ways; erection and maintenance of stop and yield signs and other traffic controls devices; obedience to traffic control signs and devices; penalties. (As referred to in Section 8.1 of these regulations. Authority to post Stop and Yield restrictions on a public right-of-way and restriction of vehicles “blocking the intersection”).

Chapter 90, Section 1B Motorized Bicycles; Operation Regulations

Chapter 90, Section 14 Precautions for safety of other travelers. (As referred to in Section 6.1 of these regulations. Establishes the law regulating how a motor vehicle should pass a bicycle or School Bus and how a motor vehicle should conduct a left turn from one street to another.)

Chapter 90, Section 20A ½ Parking violations; tags; appearance; failure to appear. (States how parking violations should be attached to a vehicle, Parking violation notifications and appeals, set standard fees for violations and also late fees for violations, which vehicles are “Boot” eligible.)

Chapter 90, Section 22B Abandonment of motor vehicles; penalties. (On public and private property).

Chapter 90E, Section 1-3 Bikeways

Chapter 266, Section 120D Removal of motor vehicle from private ways or property; procedure; penalties; liability for removal and storage charges; release of vehicle.

The General Laws of Massachusetts can be searched at www.state.ma.us/legis/laws/mgl.

APENDIX: D

TRAFFIC COMMISSION POLICIES & RULES

Traffic Commission from time to time will establish policies and guidelines to be followed. These policies shall be:

Rule 1: Schedule of Meetings – October 20, 2009

Regular meetings of the Traffic Commission shall be held on the third Thursday of each month, except during the months of July and August.

Rule 2: Calling a Special Meeting

The Chair or any two members of the Traffic Commission may at any time, call a special meeting by causing written notice, stating the time of holding such meeting, also stating the purpose or purposes for which such meeting is called and signed by the person calling the meeting, to be delivered to each member.

Rule 3: Declare a Vote

The Chair of the Traffic Commission shall take the chair at the fixed hour, or to which the Traffic Commission has adjourned or been called together, call the members to order, cause the roll to be called, and on the appearance of a quorum, proceed to business.

Rule 4: Vice Chair

In the absence of the Chair of the Traffic Commission, a Vice Chair shall be elected and the Vice Chair shall call the meeting to order and preside.

Rule 5: Order & Decorum

The Chair shall preserve order and decorum; he/she may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal to the Traffic Commission, on the motion of any member.

Rule 6: Chair

The Chair shall declare all votes.

Rule 7: Quorum

A majority of all members of the Traffic Commission shall constitute a quorum. (4)

Rule 8: Majority for Meeting

A majority of all members of the Traffic Commission present at a meeting shall be required to adopt any motion before the body.

Rule 9: Rules of Order

Roberts Rules of Order shall prevail.

Rule 10: Submission of Petitions

All matters for consideration must be submitted on or before the last day of the month preceding the regular monthly meeting, in order for the Traffic Commission and/or his/her staff to review and have a report prepared for the meeting. The Traffic Commission may by vote of the majority of the members present, elect to act on any

item or request presented to them at its regular monthly meeting regardless of when such time was received.

Rule 11: Order of Business

It shall be policy at the regular monthly meeting to hear agenda items submitted and or supported in the following order:

- 1: Mayor
- 2: City Councilors
- 3: Citizens
- 4: Attorneys/Developers
- 5: Traffic Commission's Report
- 6: Other Business

Rule 12: Handicapped Off-Street Parking (Private lots) - December 17, 1985

Voted to accept a policy to enforce HP parking upon petition of private lot owners. Upon acceptance the owner would be required to place appropriate signage to warn possible offenders that the Police will tag violators. This process was the result of a compromise between Council President, the Chamber of Commerce and the Traffic Commission

Rule13: Running Child Symbol - November 17, 1987

Voted to adopt as a general policy the installation of the "running child" symbol to warn motorists of the possible presence of children in the vicinity; however, each installation will require individual approval by the Commission, and symbols will not routinely be repainted. (Rescinded - see Rule 18)

Rule 14: Directional Signs - (Churches) - December 19, 1989

Voted that not more than 2 signs per church be authorized. The text and the signs shall be supplied by the organization. The City shall install the signs at the location selected by the Traffic Commission. Directional Signs - (Churches, etc.) - October 17, 1978

The Commission voted to approve the erection of directional signs subject to the following policy provisions which will also apply to similar requests from private institutions in the future.

- a.) Signs to be furnished by the private institution.
- b.) Design, size and location of signs to be approved by the Public Works Director and Traffic Commission.
- c.) Should conditions warrant, the Commission may make exceptions to this policy.

Rule 15: Appeals – Amended April 17, 1990

It shall be policy, when a matter before the Traffic Commission has been finally rejected or disposed of by action of the Traffic Commission, no such matter substantially the same shall be introduced within the next 12 months following the Traffic Commission's final action on such matter. No such matter, request or proposal shall be introduced if such is determined to be substantially the same as a matter currently pending before the Traffic Commission. The determination of whether a matter is substantially the same shall be made by the Clerk of the Traffic Commission based upon the official record of the Commission. A matter, request or proposal as restricted, may be presented by any member of the Traffic Commission and considered upon approval by a majority vote of The Traffic Commissioners present and voting. This restriction shall not apply when the Traffic Commission has granted leave to withdraw a matter, request or proposal.

Rule 16: Handicapped Parking Temporary Permit – December 18, 1990

The Office of Handicapped Affairs is authorized to issue Temporary Handicap Parking Permits, valid only in Waltham. Handicapped Parking Off-Street Parking (Private lots) – June 16, 1992. The Parking Control Officers (PCO's) are to ticket handicap parking violations on private property adjacent to their existing routes. Two-way radios will be purchased for the PCO's.

Rule 17: Handicapped Parking Spaces On-Street Parking – October 19, 1993

Voted that the recommendation from the Waltham Handicap Commission was sufficient as long as the name and address of the petitioner are included in the request. They will also follow up on a yearly basis with the petitioner to make sure the sign is still needed at the location.

Rule 18: “Slow Children” Signs

Voted to accept the Traffic Commissions recommendation for special signing. Slow Children signs will no longer be authorized and the present existing signs will not be replaced. Special Handicap signs will be allowed under the conditions of their policy. Slow Children signs have little or no effect on vehicles.

Rule 19: Housing Authority Property – January 21, 1992

Voted to accept jurisdiction on Waltham Housing Authority property. Housing Authority must submit regulations to the Traffic Commission.

Rule 20: Housing Authority Property – March 16, 1993

Parking Control Officers (PCO's) should not be used to enforce, it may conflict with the statute on the use of meter revenue to enforce regulations on private land.

Rule 21: Posted Speed Regulation

It shall be the policy of the Traffic Commission not to consider the placement of speed regulation signs (Massachusetts General Laws, Chapter 90, Section 18) in neighborhoods when the fundamental speed regulation is applicable. The Traffic Commission will consider unusual circumstances.

Rule 22: Pedestrian Crosswalk Cones - December 21, 1993

Approval of pedestrian crosswalk cones is up to the discretion of the Consolidated Public Works Director.

Rule 23: Issuance of Handicap Parking Tickets - May 16, 1995

Voted to authorize the Chair of the Handicap Commission to issue parking tickets for handicapped parking violations.

Rule 24: Service Vehicle Parking - October 17, 1995

Voted that the Consolidated Public Works Department will issue a permit that allows vendors performing services for a business to park free of charge.

Rule 25: Yield to Pedestrian in Crosswalk sign - November 21, 1995

New signage was approved and will be used when appropriate. Traffic Commission will approve and recommend when these signs should be used.

Rule 26: Residential Handicap Parking Spaces

A: Handicap Parking Plate/Placard

In order to apply for a handicap parking space on a residential street, a household member must have a vehicle with a handicap plate/placard assigned to a resident at that address

B: Garages and Driveways

For residents with garages or driveways, the applicant should be able to demonstrate that entry or exit from a vehicle within the garage or driveway is unavailable or infeasible. For example, the applicant may show that their driveway is too heavily used by others, or it is too steep or narrow to allow for entry or exit.

C: Accessible Routes Of Travel

For residence with garages or driveways, the applicant should be able to demonstrate that an on-street parking space provides for an easier route of travel to access their home. For example, the applicant may show that on-street parking space is closer to the main living area of their home, avoids stairs or other barriers, or otherwise creates an easier path of travel.

D: Competition for On-Street Parking Spaces

The applicant should be able to demonstrate that they are unable to access the on-street parking space nearest their home on more than an infrequent basis, due to competition for that space.

RULE 27 – Development Prospectus - Zoning

April 25, 2013

The Traffic Commission is required to vote whether to accept the traffic study included in the prospectus prior to the zone change actually being approved. When a zone change is being sought, the traffic study required by the prospectus is not and should not be for a particular project – the traffic study to be submitted must be specifically for the zone change, i.e. for the highest traffic generating use as of right should the zone change be authorized. If a zone change prospectus is accompanied by a prospectus for a particular (special permit) project, it should not be accepted and the Traffic Commission is authorized to act upon in a zone change situation is the one relating to the maximum traffic that can be generated by as-of-right use in the new zone.

The Traffic Commission, in a zone change process, is simply providing advice and recommendations to the City Council for the proposed zone change. The language of the zone change that the Traffic Commission sees, may not actually be the language voted upon by the City Council which could change and prevent the proposed project. Any vote on the proposed project would be premature.

It is inappropriate to accept a project-specific zone change as part of a zone change review. The Traffic Engineer identifies to the proponent the type of traffic study to be presented and it should deal with the highest as-of-right traffic generating use under the proposed zoning amendment. If the applicant submits a project-specific traffic study it should be rejected and the Traffic Commission should only consider the zone change traffic study.

APENDIX E

General Ordinances Chapter 8 Fire Protection

ARTICLE I, IN GENERAL

Sec. 8-3.1. Establishment and maintenance of fire lanes on private property.

In accordance with General Laws of Massachusetts, Chapter 90, Section 18, requiring the consent of the owner of private property, ways or alleys before a fire lane is established, no person shall stop, stand or park a vehicle upon any private roadway or in a fire lane located upon such private way, property or alley open to public use for the purpose of furnishing means of access for fire apparatus or other emergency equipment in such a manner as to leave available not less than 20 feet for clear and unobstructed passage of vehicular traffic, and the Chief of the Fire Department shall have the authority to make special regulations with respect to the maintenance and location of such fire lanes on said private property, ways or alleys.

It shall be the responsibility of the owner of the land so designated as a "fire lane" to provide within the time stated below, legible signs conspicuously posted, as approved by the Fire Department. The posting of signs is to be completed within 6 months after the passage of the ordinance codified in this section. (1-26-87.)

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