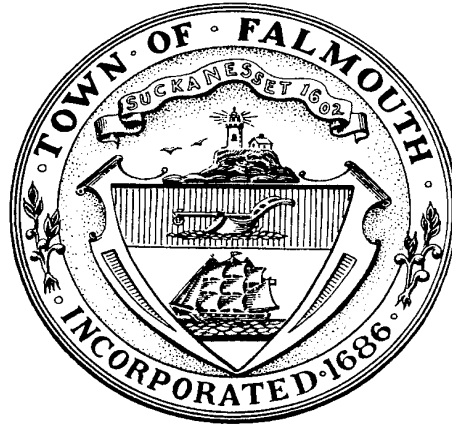


TOWN OF FALMOUTH



TRAFFIC RULES AND ORDERS

May 19, 2003

FALMOUTH MASSACHUSETTS

The following rules and orders regulating traffic upon the streets and highways of the Town of Falmouth are hereby enacted by the Board of Selectmen of the Town of Falmouth, superseding Traffic Regulations adopted and enacted May 10, 1938.

FALMOUTH MASSACHUSETTS TRAFFIC RULES AND ORDERS

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FALMOUTH MASSACHUSETTS

TRAFFIC RULES AND ORDERS

ARTICLE I

SECTION 1-1 Definitions

For the purpose of these rules of order the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

SECTION 1-2 Bus Stop

An area in the roadway set aside for the boarding of or alighting from and the parking of busses.

SECTION 1-3 Crosswalk

That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface or by other marking or signs.

SECTION 1-4 Curb Marking, Official

That portion of a curbing the painting of which the Town Engineer has authorized, and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1-5 Emergency Vehicle

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

SECTION 1-6 Funeral

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

SECTION 1-7 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 Section 1 of Chapter 90 of the General Laws, including divided ways.

The rules and regulations herein contained governing and restricting the movement of vehicles at and 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.

SECTION 1-8 Lane

A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.

SECTION 1-9 Police Officer Duties

Any officer of the Falmouth Police Department or any officer authorized to direct or regulate traffic or to make arrests for the violation of traffic regulations.

SECTION 1-10 Parking

The standing of a vehicle, whether occupied or not, otherwise 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 vehicle.

SECTION 1-11 Pedestrian

Any person afoot or riding on a conveyance moved by human muscular power, except bicycles or tricycles, as defined in Chapter 90, Section 18A (General Laws).

SECTION 1-12 Railroad Crossing

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

SECTION 1-13 Roadway

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

SECTION 1-14 Rotary Traffic

The counter clockwise operation of a vehicle around an object or structure.

SECTION 1-15 Safety Zone

Any area or space set aside within a roadway for the exclusive use of pedestrian and which has been indicated by signs, lines or markings, having the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1-16 Service Zone

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

SECTION 1-17 Street or Highway

The entire width between property lines of every way open to the use of the public for purposes of travel.

SECTION 1-18 Street Marking, Official

Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Town Engineer and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1-19 Taxicab Stands

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

SECTION 1-20 Traffic

Pedestrians, ridden or herded animals, vehicles, streetcars or other conveyances either singly or together while using any street or highway for the purpose of travel.

SECTION 1-21 Traffic Control Area

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

SECTION 1-22 Traffic Control Signal

Any device using colored lights, which conforms to the standards, as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, whether manually, electrically or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

SECTION 1-23 Traffic Island

Any area or space set aside within a roadway, which is not intended for use by vehicular traffic.

SECTION 1-24 Traffic Signs, Official

All signs, markings and devices, other than signals, not inconsistent with these rules and orders, and which conform to the standards prescribed by the Department of Public Works of the Commonwealth of Massachusetts and placed or erected by authority of public body or official having jurisdiction for the purpose of guiding, directing, warning, or regulating traffic.

SECTION 1-25 Traffic Signals, Official

All signals, conforming to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, not inconsistent with these rules and orders, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing or warning traffic.

SECTION 1-26 U-Turn

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

SECTION 1-27 Vehicle

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles 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.

SECTION 1-28 Vehicle, Commercial

Any vehicle being used in the transportation of goods, wares or merchandise for commercial purposes.

SECTION 1-29 Vehicle, Heavy Commercial

Any commercial vehicle of over two and one-half (2½) ton capacity.

SECTION 1-30 Person

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

SECTION 1-31 Parking Meter

The words “parking meter” shall mean any mechanical 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 traffic rules 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 time expiration of such period shall indicate illegal or overtime parking.

SECTION 1-32 Parking Meter Zone

The words “parking meter zone” shall mean and include any street or portion thereof or municipal off-street parking area upon which parking of vehicles is permitted for limited time subject to compliance with the further provisions of this regulation.

SECTION 1-33 Parking Meter Space

The words “parking meter space” shall mean any space within a parking meter zone, adjacent to a parking meter which is duly designated for the parking of a single vehicle by lines painted on the surface of the street or municipal off-street parking area adjacent to or adjoining each parking meter.

ARTICLE II

AUTHORITY AND DUTIES OF POLICE

SECTION 2-1 Traffic, Police To Direct

It shall be the duty of officers designated by the Chief of Police to enforce the provisions

of these Traffic Rules and Orders. Such officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of these Traffic Rules and Orders provided that 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 Traffic Rules and Orders.

SECTION 2-2 Close Street, Police May Temporarily

The Chief of Police is hereby authorized to close temporarily any street or highway in an impending or existing emergency, or for any lawful assemblage, demonstration or procession.

SECTION 2-3 Parking, Police May Prohibit Temporarily

The Chief of Police is hereby authorized to prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency, or for a lawful assemblage, demonstration or procession. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer.

SECTION 2-4 Exemptions

The provisions of these Traffic Rules and Orders 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 public duties nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties when the nature of the work of any of these necessitate a departure from any part of these Traffic Rules and Orders. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others.

ARTICLE III

TRAFFIC SIGNS, SIGNALS, MARKINGS AND ZONES

SECTION 3-1 Bus Stops, Taxicab Stands And Service Zones, Location

The location of all bus stops, taxicab stands and service zones shall be specified by the Falmouth Board of Selectman and in the case of taxicab stand, the Chief of Police with the approval of the Falmouth Board of Selectman shall designate who may use them as such.

Any person who willfully defaces, injures, moves, obstructs or interferes with any official traffic signs, signals or marking shall be liable to a penalty not exceeding twenty (20) dollars for each and every offense.

SECTION 3-2 Obedience To Traffic Signs, Signals And Markings

No driver of any vehicle or of any street car shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend unless otherwise directed by a police officer.

SECTION 3-3 Traffic Signs And Signals

a. The Town Engineer is hereby authorized, and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

b. Sections 2-2 and 2-3 of Article II and Section 5-2 and 5-3 and 5-6 and 5-8 to 5-10 inclusive of Article V relating to parking and Sections 7-7 and 7-10 of Article VII concerning turning movements and Section 7-20 of article VII pertaining to exclusion shall be effective only during such time as official signs are erected and maintained in each block designating the provisions of such sections and located so as to be easily visible to approaching drivers.

c. Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at the entrance and each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

SECTION 3-4 Signals, Signals And Markings Prohibited, Display Of Unauthorized

No person or corporation shall place, maintain or display upon or in view of any street any unofficial device, sign, signal, curb marking or street marking which purports to be or is an imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or which attempts to direct the movement of traffic or which hides from view any official sign, signal marking or device. The Chief of Police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice.

SECTION 3-5 Experimental Regulation

For the purpose of trial the Falmouth Board of Selectmen may make temporary rules regulating traffic or test under actual conditions traffic signs, markings, or other devices. No such experimental rules relating to traffic shall remain in effect for a period longer than 30 days.

ARTICLE IV

ZONE OF QUIET

SECTION 4-1 Zone Of Quiet

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 two hundred (200) feet of the building occupied by the sick person. 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.

No person operating a motor vehicle within any designated and posted Zone of Quiet shall sound a horn or other warning device on said vehicle except in an emergency, nor shall such person make any loud or unusual noise in said Zone of Quiet.

ARTICLE V

STOPPING, STANDING, PARKING

SECTION 5-1 General Prohibitions

No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street, way, highway, road or parkway under the control of the Town of Falmouth in violation of any of the Traffic Rules or Orders adopted by the Board of Selectman and in particular in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal.

- a. Within an intersection "except within those intersections where the installation of parking meters has been specifically approved by the Massachusetts Department of Public Works."
- b. Upon any sidewalk.
- c. Upon any crosswalk.
- d. Upon the roadway in a rural or sparsely settled district.

- e. Upon a roadway where parking is permitted unless the wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway, except upon those streets, which are designated as one-way streets. On such one-way streets vehicles shall be parked in the direction in which said vehicle is moving and with the wheels within (12) inches of the curb. This shall not apply to streets or parts of streets where angle parking is required by these regulations.
- f. Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
- g. Upon any street or highway within ten (10) feet of fire hydrant.
- h. In front of any private road or driveway.
- i. Upon any street or highway within twenty (20) feet of an intersecting way, except alleys.
- j. Within fifteen (15) feet of the wall of a fire station or directly across the street from such fire station provided signs are erected acquainting the driver of such restriction.
- k. Along side or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- l. Within twenty-five (25) feet of the nearest rail of a railroad crossing when there are no gates at such crossing, or otherwise within five (5) feet from the gate.
- m. On a bridge and the approach thereto.

SECTION 5-2 Service Zones

No person shall park a vehicle upon any streets in any service zone for a period of time longer than thirty minutes and except while actually engaged in loading or unloading.

SECTION 5-3 Diagonal Parking

1. The Town Engineer shall determine the street upon which diagonal parking will be permitted and shall cause said streets to be designated by signs and the surfaces thereof to be marked as directed by the Chief of Police.
2. Diagonal parking is permitted upon certain sections of a number of streets as designated in Schedule No. I, hereto appended to which reference is made and which Schedule No. I, 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 twelve (12) inches of the curb and at the 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.

SECTION 5-4 Parking Vehicles For Sale Prohibited

It shall be unlawful for any person to park upon a street or highway any vehicle displayed for sale.

SECTION 5-5 No All Night Parking

No person shall allow, permit or suffer any vehicle registered in his name, other than one acting in an emergency, to be parked on any street for a period of time longer than one (1) hour between the hours of 1:00 A.M. and 6:00 A.M. of any day.

SECTION 5-6 Parking Location And Prohibitions

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

SECTION 5-7.1 Parking Meter Locations And Regulations

Parking is restricted or limited as to time, space, streets and municipal off-street parking areas on the streets and municipal off-street parking areas designated as Schedule I-A hereto appended to which reference is made and which Schedule I-A is specifically incorporated in this Section. No person shall park a vehicle for a period of time longer than one hour between the hours of 8:00 A.M. and 6:00 P.M. on any of the streets or for a period of time longer than two hours in any municipal off-street parking area hereinafter designated in Schedule I-A or as may hereafter be fixed by amendment, except that on Friday the limited parking time shall apply between the hours of 8:00 A.M. and 9:00 P.M. This restriction shall not apply on Sundays or during the hours of legal holidays during which business establishments are required by law to remain closed.

In accordance with the foregoing parking meter zones are hereby established in the streets, parts of streets or municipal off-street parking areas listed in Schedule I-A.

SECTION 5-7.2 The Purchasing Agent

The Chief Procurement Officer is hereby empowered, with the approval of the Falmouth Board of Selectmen to contract, in accordance with provisions of Chapter 40 of the General Laws, for the acquisition and installation of parking meters provided for by this regulation and to maintain said meters in good workable condition.

SECTION 5-7.3 Parking Meters

The Town Engineer is hereby authorized and directed to install parking meters within the areas described in this regulation or cause the same to be so installed. The meters shall be placed at intervals of not less than 20 feet apart except that beginning and ending spaces may be 18 feet and except where angle parking is permitted, and not less than 12 inches nor more than 24 inches from the face of the curb adjacent to individual meter spaces. Meters shall be so constructed as to display a signal showing legal parking upon the deposit therein of the proper coin or coins of the United States as indicated by instructions on said meters and for such period of time as is or shall be indicated by meter legend. Said signal shall remain in evidence until expiration of the parking period designated at which time a dropping of a signal automatically or some other mechanical operation shall indicate expiration of said parking period.

SECTION 5-7.4 Parking Meter Spaces

The Town Engineer is hereby authorized and directed to establish parking meter spaces in such parking meter zones as are herein specified, or as may be hereafter fixed by amendment and to indicate the same by white markings upon the surface of the highway.

SECTION 5-7.5 Parking Meter Deposit

Whenever any vehicle shall be parked adjacent to a parking meter, the owner or operator of said vehicle shall park within the space designated by pavement marking lines and, upon entering such space, shall immediately deposit in said meter the required coin of the United State for a maximum legal parking period or proportionate period thereof, both as indicated or shown on the meter and if so required set the mechanism in motion.

The fee for the maximum parking time in on-street parking meter zones shall be twenty-five (25) cents or five (5) cents for each proportionate period of said maximum up to the limit of two hours.

The fee for parking in municipal off-street parking areas shall be at the rate of twenty-five

(25) cents per hour or proportionate period thereof up to the maximum limit of hours.

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin for the purpose of permitting the vehicle of which he is in charge to remain in a parking space beyond the maximum period of time allowed in a particular zone.

It shall be unlawful for any person to park a vehicle within a parking meter space unless such vehicle is wholly within the painted lines adjacent to such meter.

It shall be unlawful for any unauthorized person to open, tamper with, break, injure or destroy any parking meter or to deposit or cause to be deposited in such meter any slugs, device or metallic substance or any other substitute for the coins required.

SECTION 5-7.6 Metered Space For Commercial Vehicles

Operators of commercial vehicles may park in a metered space without depositing a coin for a period not to exceed 30 minutes for the purposes of loading or unloading. Parking in excess of this time limit without depositing the proper coin shall be deemed a violation of the provisions of this regulation.

SECTION 5-7.7 Monies Deposited In Parking Meters

The Chief of Police is hereby designated as the person authorized to collect monies deposited in parking meters or to cause the same to be so collected. Such monies shall be deposited forthwith with the Treasurer in a separate account to be known as the Town of Falmouth Parking Meter Account.

SECTION 5-7.8 Parking Meters Fees

All fees received by said Treasurer from the operation and use of parking meters shall be used as authorized by Chapter 40 of the General Laws (Ter. Ed.).

SECTION 5-7.9 Parking - Police Officers To Enforce

It shall be the duty of police officers to enforce the provisions of this section.

SECTION 5-7.10 Parking Provision Violations

Any person who violates any parking provisions of this regulation shall be subject to the penalties provided by Chapter 90, Section 20A1/2 of the General laws and any other violation shall be punishable as may be provided by law.

SECTION 5-7.11 No Parking Meters For State Or Federal Governments, Disabled Veteran, Handicapped Person

No driver, while operating any vehicle owned and bearing indicia of ownership by the Town of Falmouth, State or Federal governments, shall be required to deposit any fee in a parking meter as provided in this section.

No 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 authorized by section two of chapter ninety, or for any vehicle transporting a handicapped person and displaying the special parking identification plate authorized by said section two of said Chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province.

SECTION 5-7.12 Regulations Repealed.

All other regulations or parts of regulations, which are inconsistent herewith, are hereby repealed.

SECTION 5-8 Prohibited At Safety Zones

No person shall park a vehicle within twenty (20) feet of either end of a safety zone which is located within thirty (30) feet of the curb or edge of the roadway.

SECTION 5-9 Bus Stops

- (a) No person shall stop or park a vehicle other than a bus in a bus stop.
- (b) No person shall 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.

SECTION 5-10 Taxicab Stands

- (a) No person shall park a vehicle other than a taxicab upon any street within a business district in any taxicab stand. (Schedule No. II)
- (b) No person shall park a taxicab upon any street within a business district at any place other than the taxicab stand or stands designated for the use of his taxicab or taxicabs.

ARTICLE VI

ONE-WAY STREETS

SECTION 6-1 One-Way Streets

The streets or portions thereof designated in Schedule No. III hereto appended and specifically incorporated in this section are declared to be one-way streets and all vehicular traffic shall move on those streets or portions thereof in the direction designated in said Schedule No. III.

SECTION 6-2 Rotary Traffic

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

ARTICLE VII

OPERATION OF VEHICLES (MGL CHAPTER 89 GOVERNS)

SECTION 7-1 Overtake Only When There is a Space Ahead

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

SECTION 7-2 Driver To Give Way To Overtaking Vehicle

The driver of a vehicle when about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suitable and visible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

SECTION 7-3 Obstructing Traffic

a. 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.

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

SECTION 7-4 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 or highway.

SECTION 7-5 Clinging To Moving Vehicles

It shall be unlawful for any person traveling upon a bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach himself or his vehicle to any moving vehicle or streetcar upon any roadway.

SECTION 7-6 Care In Starting, Stopping, Turning Or Backing

The driver of any vehicle before starting, stopping, turning from a direct line or backing shall first see that such movement can be made in safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, said driver shall wait for a more favorable opportunity to make such movement.

If the operation 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.

SECTION 7-7 Emerging From Alley Or Private Driveway

The operator of a vehicle emerging from an alley, driveway or a garage shall stop such vehicle immediately prior to driving on to a sidewalk or on to the sidewalk area extending across alleyway or driveway.

SECTION 7-8 Obedience To Traffic Control Signals

Colors and arrow indications in traffic control signals shall have the commands ascribed to them in this section, and no other meanings, and every driver of a vehicle, railway car or other conveyance shall comply therewith, except when otherwise directed by an officer or by a lawful traffic regulating sign (other than a "stop" sign), signal or device or except as provided in Section 7-18(b) of these rules.

In no case shall a 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.

1. Green indications shall have the following meanings:
 - a. 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.

b. 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.

2. Steady yellow indications shall have the following meanings:

a. 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.

3. Steady red indications shall have the following meanings:

a. Drivers, facing a steady CIRCULAR RED signal and TURN RED SIGN 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 before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in (b) below.

b. 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 in (a) above. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

c. 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 crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to make the movement indicated by such arrow is shown.

4. RED AND YELLOW indications shall have the following meaning:

While the red and yellow lenses are illuminated together, drivers shall not enter the intersection, and during such time the intersection shall be reserved for the exclusive use of pedestrians.

5. Flashing signal indication shall have the following meanings:

a. Flashing red (stop signal) - When a red lens is illuminated with rapid intermittent flashes, driver of vehicles 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 drivers 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 Chapter 89, Section 8 of the General Laws.

b. 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.

SECTION 7-9 U Turns Prohibited

No operator 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 following streets.

- a) Streets with "NO U Turn" signs.
- b) One-way streets when vehicle is headed in correct direction.
- c) Exit ramps to limited access highways.
- d) Entrance ramps to limited access highways.

SECTION 7-10 Stop Signs, Yield Signs, Through Ways

For Stop Signs

In accordance with the provisions of Chapter 89, Section 9 of the General Laws the following streets are designated as stop streets at the intersections and in the direction indicated:

In accordance with the foregoing, the streets listed in Schedule No. IV of these rules and orders are hereby declared to constitute stop streets or flashing red signal intersections as the case may be, and said Schedule No. IV is hereby specifically incorporated in this Section.

The same preamble should be used for designation of yield signs.

For Through Ways

In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the following ways or parts of ways are hereby designated as through ways.

SECTION 7-11 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.

SECTION 7-12 Operation Of Under- Or Overpasses At 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.

SECTION 7-13 Driving On Road Surfaces Under Construction Or Repair

No operator shall enter upon a road surface of any street or highway or section thereof, when, by reason of construction, surface treatment, maintenance or the like, or because of some unprotected hazard, such road surface of the street or highway is not to be used or when so advised by an officer, watchman, member of a street or highway crew or employees of the town, either audibly or by signals.

SECTION 7-14 No Driving on Sidewalks

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

SECTION 7-15 No 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.

SECTION 7-16 Funerals To Be Properly Identified

A funeral composed entirely or partly of a procession of vehicles shall be identified as such by means of black pennants bearing a purple symbol attached to both the first and last vehicles or other suitable means.

SECTION 7-17 Right And Duties Of Drivers In Funerals Or Other Processions

(a) 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.

(b) At an intersection where 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 and/or yellow indication.

(c) At an intersection where a lawful Stop 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.

SECTION 7-18 Unlawful Riding

It shall be unlawful for any reason to ride on any portion of a vehicle not designated or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to any employee engaged in the necessary discharge of a duty or within truck bodies in space intended for merchandise.

SECTION 7-19 Operation Of Heavy Commercial Vehicles

1. The use and operation of heavy commercial vehicles having a carrying capacity of more than 2½ tons are hereby restricted on the following named streets or parts thereof, and in the manner outlined and during the period of time set forth.

2. Exemptions - Part 1 of this Section shall not apply to heavy commercial vehicles going to or coming from places upon said streets for the purpose of making deliveries of goods, materials, or merchandise to or similar collections from abutting land or buildings or adjoining streets or ways to which access cannot otherwise be gained; or to vehicles used in connection with the construction, maintenance and repair of said streets or public utilities therein; or to Federal, State, Municipal or public service corporation owned vehicles.

ARTICLE VIII

ACCIDENT REPORTS

SECTION 8-1 Drivers Must Report Accidents

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 one thousand dollars (\$1,000.00) to any one vehicle or other property, shall report such accident within five (5) days to the Registrar and to the Police Department in accordance with the provisions of Chapter 90, Section 26, of the General Laws.

ARTICLE IX

PENALTIES AND REPEALS

SECTION 9-1 Penalties

Any person violating any provisions of any rule, regulation or order regulating the parking of motor vehicles made by anybody authorized to make the same shall be dealt with as provided in General Laws, Chapter 90, Section 20A $\frac{1}{2}$ or any Acts in amendment thereof, or in addition thereto, and any person violating any of the rules and regulations applicable to State Highways made by the Department of Public Works, Commonwealth of Massachusetts, under authority of General Laws, Chapter 85, Section 2, and Acts in amendment thereof, and in addition thereto, shall be subject to the penalty provided in said rules and regulations.

Any person convicted of a violation of any other rule, regulation or order made hereunder, except as otherwise provided, shall be punished by a fine not exceeding twenty dollars (\$20.00) for each offense.

SECTION 9-2 Repeal

These rules are adopted with the intent that each of them shall have force and effect separately and independently of every other except insofar as by express reference or necessary implication any rule or any part of a rule is made dependant upon another rule or part thereof.

All official signs, lights, markings, signal systems or devices erected or installed under prior rules or regulations and necessary to the enforcement of these regulations and necessary to the enforcement of these regulations shall be deemed to have been lawfully erected or installed hereunder provided the same were erected or installed with the permission and approval of the department of Public Works of the Commonwealth of Massachusetts and insofar as the same are necessary as aforesaid for the enforcement of these regulations, they shall be deemed continuing hereunder but in all other respects all prior rules, orders and regulation made by the Town of Falmouth for the regulation of vehicles are hereby expressly repealed. This repeal, however, shall not affect any punishment or penalty imposed or any complaint or prosecution pending at the time of the passage hereof for any offense committed under said prior rules, order or regulations hereby repealed, nor shall said repeal be effective unless and until these rules and regulations have been approved and published as required by law.

SECTION 9-3 Effect Of Regulations

If any section, subsection, sentence, clause or phrase of these rules and order is for any reason unconstitutional, such decisions shall not affect the validity of the remaining portion of these rules and orders. The Board of Selectmen hereby declares that it would have passed these regulations and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one of more sections, subsection, sentence, clauses or phrases be declared unconstitutional.

SECTION 9-4 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 a vehicle is registered shall be held prima facie responsible for such violations.

Appendix A

Schedule I

PARKING

Location	Side	From	To	Type of Parking

Schedule I-A

Section 1 -On Street Parking meter Zone

Location	Side	From	To

Schedule II

Taxicab Stands

Location	Side	From	To	Type

Schedule III

One-Way Streets

Location	Side	From	To

Schedule IV

Stop Signs

Location

Schedule IV

School Zones

Location

APPENDIX B

PEDESTRIAN REGULATIONS

Voted:

In accordance with the provisions of Chapter 90, Section 18A of the General Laws (Ter. Ed.) and in accordance with the Pedestrian Control Standards of the Department of Public Works of the Commonwealth of Massachusetts, the Board of Selectmen of the Town of Falmouth hereby enacts the following regulations to govern the use of ways by pedestrians.

These regulations are to become effective on _____

PEDESTRIAN CONTROL REGULATIONS

SECTION 1 Pedestrian Crossing Ways Or Roadways

Pedestrians shall obey the direction of police officers directing traffic and whenever there is an officer directing traffic, a traffic control signal or a marked crosswalk within three hundred (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 a roadway reserved for pedestrian crossing located between two solid white reflectorized 12 inch pavement markings in rural areas or markings not less than six inches wide in urban areas, said markings or lines being no less than six feet apart.

SECTION 2 Pedestrian Actuation

(a) 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. If necessary, the green indication shall be actuated by the pedestrian by means of a push button.

(b) 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.

SECTION 3 Pedestrian Obedience To Traffic Control Signals

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) Red and Yellow or the Word "Walk" - Whenever the red and yellow lenses are illuminated together or the single word "Walk" is illuminated, pedestrians facing such indication may proceed across the roadway and in the direction of such signal only.

(b) Red Alone or "Don't Walk" - Whenever the words "Don't Walk" or any indication other than red and yellow 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 of 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 his crossing on the walk indication shall proceed or return to the nearest sidewalk or safety island on the yellow indication, the red indication or when the words "Don't Walk" are illuminated by rapid intermittent flashes.

(c) Green Alone - At traffic control 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) Yellow Alone, Red Alone or Flashing "Don't Walk" - Pedestrians approaching or facing a yellow, red or flashing "Don't Walk" illuminated indication shall not start to cross a roadway.

(e) Flashing Red, Yellow or Green - At any traffic control signal location where a flashing red, flashing yellow or flashing green indication is being given facing a crosswalk, pedestrians shall actuate, where provided, the pedestrian signal indication and cross the roadway only on the red-

yellow or "Walk" indication when such indication is in operation. If no pedestrian signal is provided, pedestrians shall cross within crosswalks with due care.

SECTION 4 Pedestrian Crossings And Use Of Roadways

- (a) No pedestrian shall suddenly leave a sidewalk or safety island and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield the right of way.
- (b) Pedestrians shall at all times attempt to cross a roadway using the right half of crosswalks.
- (c) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon and adjacent roadway whenever the sidewalk is open to pedestrian use.
- (d) 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.
- (e) 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.
- (f) It shall be unlawful for any person to actuate a pedestrian control signal or to enter a marked crosswalk unless a crossing of the roadway is intended.

SECTION 5 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 proper use of the tunnel or overpass.

SECTION 6 Operators To Exercise Due Care

The provisions of these regulations shall in no way abrogate the provisions of Chapter 90, Section 14 and 14A of the General Laws (Ter. Ed.) which provide: "Precautions for Safety of Other Travelers" and for the "Protection of Blind"

Persons Crossing Ways

Furthermore, notwithstanding the provisions of these regulations every operator 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.

SECTION 7 Pedestrians Soliciting Rides Or Business

No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the operator or occupant of any vehicle without the written permission of the board or officer having control of such roadway or highway.

SECTION 8 Officers To Enforce Pedestrian Regulations

These pedestrian control regulations shall be enforced by all police officers of the Town of Falmouth on and after _____.

SECTION 9 Exemptions

The provisions of these rules and regulations governing the use-of 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.

SECTION 10 Penalties

Any person who violates the provisions of this Article which deal with the proper use of ways by pedestrians shall be punished as provided in Chapter 90, Section 18A of the General Laws (Ter. Ed.).

SECTION 11 Effect of Regulation

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 Board of Selectmen of the Town of Falmouth hereby declare that they would have passed these rules and regulations and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

APPENDIX C

Tow-Away Zone Regulations

SECTION 1 In General Tow-Away Zone Regulations

In accordance with the provisions of Chapter 40, Section 22D of the General Laws (Ter. Ed.) the Board of Selectmen of the Town of Falmouth hereby enact 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 Town of Falmouth Vehicles specifically exempt by Chapter 40, Section 22D shall not however be subject to such removal.

SECTION 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 he may from time to time designate.

SECTION 3 Towing And Storage Fees

The Board of Selectmen 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 not to exceed that which is provided in or as authorized by Statute Law.
- (b) Storage Fees:

Not to exceed that which is provided in or as authorized by Statute Law Section 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.

SECTION 5 General Prohibition Towing Zones

No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park in any of the following places. 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 Chapter 90, Section 2A1/2 of the General Laws (Ter. Ed.).

- (a) Upon any way in such a manner as to impede the removal or the plowing of snow or ice except for vehicles parked in accordance with approved regulations governing all night parking.
- (a) Upon any sidewalk.
- (b) Upon any crosswalk.
- (c) Upon any way within twenty (20) feet of an intersecting way except alleys.
- (d) Upon a way within ten (10) feet of a fire hydrant.
- (e) A roadway side of any vehicle stopped or parked at the edge or curb of the way.
- (f) In front of a public or private driveway.
- (g) Upon any way where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.

SECTION 6 Parking Prohibitions, Towing Zone

No person shall stand or park or allow, permit or suffer any vehicle registered in his 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 chapter 90, Section 20A of the General laws (Ter. Ed.).

- a) In any taxicab stand.
- b) On streets with “No Parking” signs.
- c) In any Bus Stop.
- d) Streets with “TOW AWAY ZONE” signs.

SECTION 7 Official Traffic Signs

The provisions of Section 6 shall be effective only during such time as a sufficient number of official traffic signs bearing the legend TOW AWAY ZONE are installed, erected, maintained and located so as to be visible to approaching drivers, said signs to be appended above or incorporated into the legend of Parking Prohibition Signs.

SECTION 8 Police to Keep Record of Towed Vehicles

The Police Department shall keep a record of all vehicles towed* or removed under the provisions of this Article. Such record shall be retained for one (1) year and shall contain the following information:

- (a) The registration of the vehicle.
- (b) The location, from which it was towed, and time and date of tow order.
- (c) The location to which it was moved.
- (d) The fee charged for towing.
- (e) Name of towing contractor, if any.
- (f) Name and rank of officer who authorized towing.

** Tow truck operator must notify Falmouth police department within 30 minutes of towing a vehicle.*

(Date of Passage) _____

Board of Selectmen:

ATTEST: Town Clerk _____