

Title 10

VEHICLES AND TRAFFIC

Chapters:

10.04 Uniform Traffic Act Adopted

10.08 Automobile Registration and Driver's Licenses

10.12 Miscellaneous Traffic Regulations

10.16 Snowmobiles

10.25 Off-Road Vehicles

Chapter 10.04

UNIFORM TRAFFIC ACT ADOPTED

Sections:

10.04.010 Adoption.

10.04.020 Deletions.

10.04.030 Copy on file.

10.04.040 Justice of the peace to mean municipal judge.

10.04.010 Adoption. Pursuant to W.S. § 15-1-119 (1977), Chapter 5 of Title 31 of Wyoming Statutes 1977, including all amendments thereto through and including 2005, except such sections of said Chapter as are specifically deleted there from by § 10.04.020 of this Code, are hereby adopted by reference and incorporated herein as a part of this Chapter as if fully set forth herein. (Ord. 2006-1, 2006;1. 98-1, 1998; Ord. 91-8 §1, 1991; Ord. 82-5 §2, 1982)

10.04.020 Deletions. The following sections of Chapter 5, Title 31 of Wyoming Statutes 1977, as amended, are specifically deleted and excepted there from before adoption by the Town Council, as provided in § 10.04.010 of this Chapter:

§ 31-5-110

§ 31-5-118

§ 31-5-213

§ 31-5-225(b)

§ 31-5-227

§ 31-5-233

§ 31-5-234(e)

§ 31-5-235(c)

§ 31-5-302

§ 31-5-502

§ 31-5-510

§ 31-5-939

§ 31-5-940

§ 31-5-959(c)

§ 31-5-1101(b)

§ 31-5-1108

§ 31-5-1110

§ 31-5-1111

§ 31-5-1112

§ 31-5-1201

§ 31-5-1204

§ 31-5-1206(c)

§ 31-5-511  
§ 31-5-613  
§ 31-5-937  
§ 31-5-938  
§ 31-5-1504  
§ 31-5-1506  
(Ord. 2006-2, 2006, Ord. 98-2, 1998; Ord. 91-19 §1, 1991; Ord. 83-2 §1, 1983; Ord.82-5 §3, 1982)

§ 31-5-1212  
§ 31-5-1501  
§ 31-5-1502  
§ 31-5-1503  
§ 31-5-1505  
§ 31-5-1507

10.04.030 Copy on file. One copy of such provisions shall be kept in the office of the town clerk for examination and inspection. (Prior code §5-103)

10.04.040 Justice of the peace to mean municipal judge. Whenever reference is made in the Uniform Act Regulating Traffic on Highways to justice of the peace, said words are amended to and intended to refer to municipal judge and municipal court. (Prior code §5-103)

### Chapter 10.08

#### AUTOMOBILE REGISTRATION AND DRIVER'S LICENSE

##### Sections:

- 10.08.010 License plates and registration.
- 10.08.020 Display of License plates and registration.
- 10.08.030 Dealer plates.
- 10.08.040 Temporary permit.
- 10.08.050 Registration by nonresidents.
- 10.08.060 Driver's license.
- 10.08.070 Minimum driver's age.
- 10.08.080 Instruction permit.
- 10.08.090 Motorcycle instruction permit.
- 10.0S.100 Display of driver's license.
- 10.08.110 Return of license.
- 10.08.120 Unlawful use of license.
- 10.08.130 Permitting unauthorized minor to drive.
- 10.08.140 Permitting unauthorized minor to drive.
- 10.08.150 Driving while license suspended.

10.08.010 License plates and registration. It is unlawful for any person to willfully mutilate or alter any current number plate, or to mutilate or alter any current certificate of registration, or for any owner of a registered motor vehicle to permit the motor vehicle to be operated with the number plate or plates so mutilated or obscured as to prevent the number from being easily read. (Ord. 84-4 §2(part), 1984)

10.08.020 Display of license plates and registration. No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway any vehicle required to be registered unless there is attached thereto and displayed a valid registration plate or plates except as otherwise expressly permitted by Wyoming statutes. No person shall lend to another any license registration number plate, special number plate or permit issued to him if the person desiring to borrow the same would not be entitled to the use thereof, nor shall any person knowingly permit the use of any of the same by one not entitled thereto, nor shall any person display upon a vehicle any registration number plate, special number plate or permit not issued for such vehicle or not lawfully used thereon under this section. (Ord. 84-4 §2(part) , 1984)

10.08.030 Dealer plates. No dealer plate shall be used upon any vehicle unless the vehicle is included as a part of the dealer's inventory and held for sale or demonstration or for delivery prior to sale while the vehicle is being operated on a public street or highway and used principally in the conduct of the dealer's business. No dealer plate shall be used upon any vehicle rented, leased or loaned by a dealer or used by the dealer as a wrecker or delivery truck or used as a personal car, truck or other motor vehicle. (Ord. 84-4 §2(part), 1984)

10.08.040 Temporary permit. It is unlawful to use a temporary permit issued by the state of Wyoming or a renewed temporary permit issued by the state of Wyoming beyond the fifteen-day limit from the date of issuance on the date of renewal. (Ord. 84-4 §2(part) , 1984)

10.08.050 Registration by nonresidents. Unless the motor vehicle remains in the state for more than one hundred twenty days in a twelve-month period, Wyoming registration and fee payment provisions shall not apply to a motor vehicle or trailer owned by a nonresident of this state if the owner complies with motor vehicle registration laws of the country or state of his residence and conspicuously displays his registration number as required by law or if the person primarily using the vehicle is a student at the University of Wyoming or a state community college. The owner or operator of a vehicle operated within this state for gain or profit or for transportation to or from employment, or any motor vehicle the owner or operator of which is employed in this state, shall immediately obtain Wyoming registration plates. (Ord. 84-4 §2(part), 1984)

10.08.060 Driver's license. No person is permitted to have more than one valid driver's license at any time unless the state of Wyoming specifically allows the possession of more than one license under §31-7-106(c) W.S. 1977. (Ord. 84-4 §2(part) , 1984) 10.08.070--10.08.1:

10.08.070 Minimum driver's age No person under the age of sixteen shall drive or operate a motor vehicle unless that person has a valid instructional permit for the particular type of motor vehicle which the person is driving or operating. (Ord. 84-4 §2(part) , 1984)

10.08.080 Instruction permit. No person who has only been issued an instruction permit shall drive or operate a motor vehicle unless accompanied by a person at least eighteen years of age who has been licensed as a driver for the type or class of vehicle being used for at least one year, who is fit and capable of exercising control over the vehicle and who is occupying a seat beside the driver. (Ord. 84-4 §2(part) , 1984)

10.08.090 Motorcycle instruction permit. No person shall drive or operate a motorcycle with a passenger when the driver or operator has only been issued a motorcycle instruction permit. (Ord. 84-4 §2(part) , 1984)

10.08.100 Display of driver's license. Every licensee shall have his driver's license in his immediate possession at all times when operating a motor vehicle and shall display the license upon demand of any judicial officer, municipal court judge or any officer or agent of the division or any police officer of the state, county or municipality. However, no person charged with violating this section shall be convicted if he produces in court a driver's license previously issued to him and valid at the time of his arrest. (Ord. 84-4 §2(part), 1984)

10.08.110 Return of license. Any person whose license has been canceled, suspended or revoked shall immediately return his/her license to the State of Wyoming Motor Vehicle Division. Failure to immediately return the license shall constitute a violation of this section. (Ord. 84-4 §2(part) , 1984)

10.08.120 Unlawful use of license. It is unlawful for any person to do the following:

- A. To display or permit to be displayed, or have in his possession any canceled, revoked, suspended, fictitious or fraudulently altered driver's license;
- B. To lend his driver's license to any other person or knowingly permit the use thereof by another;
- C. To display or represent as one's own any driver's license not issued to him;
- D. To fail or refuse to surrender to the department upon lawful demand any driver's license which has been suspended, revoked or canceled;
- E. To use a false or fictitious name in any application for a driver's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any application;
- F. To permit any unlawful use of a driver's license issued to him. (Ord. 84-4 §2(part) , 1984)

10.08.130 Permitting unauthorized minor to drive. No person shall cause or knowingly permit any minor under the age of eighteen to drive or operate a motor vehicle within the town when the minor is not properly licensed under the state of Wyoming. (Ord. 84-4 §2(part) , 1984)

10.08.140 Permitting unlicensed person to drive. No person shall authorize or knowingly permit a motor vehicle owned by him/her to be driven or towed upon any highway by any person who is not licensed for the type or class of vehicles being driven or towed. (Ord. 84-4 §2(part), 1984)

10.08.150 Driving while license suspended. A. No person whose license or registration or nonresident's operating privilege has been suspended or revoked shall drive or operate any motor vehicle in the town;

- B. No person shall knowingly permit another whose license or registration or nonresident's operating privilege has been suspended or revoked to drive the person's motor vehicle in the town.
- C. No person shall forge, or without authority, sign any notice that a policy or bond is in

effect, or any evidence of proof of financial responsibility, or file or offer for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority. (Ord. 84-4 §2(part), 1984)

## Chapter 10.12

### MISCELLANEOUS TRAFFIC REGULATIONS

#### Sections:

- 10.12.010 Careless driving.
- 10.12.020 Speed or acceleration contests or exhibiting on streets or highways-Prohibited.
- 10.12.025 Engine retarding brakes prohibited.
- 10.12.030 Traffic control devices.
- 10.12.040 Miscellaneous offenses.
- 10.12.050 Failure to maintain liability coverage
- 10.12.060 Safety belt use required

10.12.010 Careless driving. Any person who drives any motor vehicle in a careless and imprudent manner, without due regard for the width, grade, curves, corner, traffic and use of the streets and highways and all other attendant circumstances is guilty of careless driving. . (Prior code §5-107)

10.12.020 Speed or acceleration contests or exhibiting on streets or highways--prohibited. No person shall engage in any motor vehicle speed or acceleration contest, or exhibition of speed or acceleration on any highway or street within the town without approval of such use by the town council. No person shall aid or abet in any such motor vehicle speed or acceleration contest or exhibition upon any highway or street, without approval of such use by the town council. No person shall for the purpose of facilitating or aiding or as an incident to any motor vehicle speed or acceleration contest upon a highway or street, in any manner obstruct or place or assist in placing any barricade or obstruction upon any highway or street without approval of such use by the town council. (Prior code §5313)

#### 10.12.025 Engine retarding brakes prohibited.

A. It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the corporate limits, except in the case of an extreme emergency.

B. For purposes of this section engine retarding brakes are defined to include, but not be limited to, C Brakes, PacBrakes, TekBrakes, Jake Brakes, Jacobs Brakes, and any other type of engine retarder or compression brakes commonly utilized within the trucking industry.

C. Violation of this section is a misdemeanor punishable by a fine of not more than \$750.00. (Ord. 2005-3, 10/10/2005)

10.12.030 Traffic control devices.

A. The town councilor chief of police is authorized to determine the manner in which motor vehicles should be operated or parked within the town, including controls on passing, turning, speed, right-of-way, stop or other controls as deemed necessary. When said controls are indicated by appropriate signs, traffic control devices or markings on the roadway and are clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

B. Except when a special hazard or condition exists that requires a lower speed, the limits specified in this section shall be the maximum lawful speed, and no persons shall drive a vehicle on any local street in excess of such maximum limit:

1. Twenty miles per hour on any local street, specifically excluding U.S. 189 and those sections of certain streets as set forth in subsection 2 and 3 of this section;

2. Fifteen miles per hour on First Street between Chalfant and six hundred feet east of Rakestraw;

3. Fifteen miles per hour on Rakestraw between First and Second Streets. (Ord. 83-2 §3, 1983)

10.12.040 Miscellaneous offenses. It is unlawful for any person not the owner or operator thereof, to tamper, meddle or interfere with any vehicle, or to start or attempt to start the machinery or animal thereof, while the same is standing still, or to puncture or otherwise mutilate the tires, or to scratch, mark, or otherwise deface the body or the apparatus thereof, or to take or remove from said vehicle any part or portion of the machinery, equipment, or other portion thereof, or to throw, cast or hurl any stone, rock, snowball, glass or other missile at any vehicle or the occupants thereof. (Prior code §5-121)

10.12.050 Failure to maintain liability coverage.

A. No owner of a motor vehicle required to be registered shall operate or permit the operation of such motor vehicle without having in full force and effect a motor vehicle liability policy in amounts provided by Wyoming Statute § 31-9-405(b) or a bond in amounts provided by Wyoming Statute § 31-9-102(a)(xi). Violation of this section is a misdemeanor punishable by a fine of not more than \$750.00.

B. Excusable neglect or mistake by another is a defense for any violation of this subsection. If evidence of excusable neglect or mistake by another is presented and the defendant is convicted, the court may consider this evidence in imposing a penalty under this section.

C. This section does not apply to a vehicle owned by a nonresident and registered in a state requiring insurance if a vehicle insurance policy meeting requirements of the laws and regulations of that state is in effect or if it otherwise complies with the laws of that state concerning compulsory financial responsibility.

D. Any police officer issuing a citation for any moving violation under Wyoming Statute §§ 31-5-101 through 31-5-1402 or inspecting any vehicle, shall require the operator of any motor vehicle required to be registered to produce evidence of whether the operator or owner of the motor vehicle has in full force and effect a motor vehicle liability policy as required by this section. If the operator cannot show written proof of financial responsibility, the driver shall have seven days to produce such proof. Any operator or owner of a motor vehicle required to be registered who is not able to demonstrate evidence of compliance with subsection A of this

section may be charged with violating that subsection. No operator or owner of a motor vehicle charged with violating this section shall be convicted if the operator or owner produces in court one of the following which was valid at the time of arrest or at the time the citation was issued:

1. A liability insurance policy previously issued to the operator or owner; or
2. Evidence of a bond on file with the Department of Transportation in amounts provided by Wyoming Statute § 31-9-102(a)(xi).

E. This section does not apply to:

1. Self-insurers pursuant to Wyoming Statute § 31-9-414;
2. A vehicle owned by the United States government, any state or political subdivision thereof which is self-insured;
3. A vehicle meeting the requirements of Wyoming Statutes §§ 31-9-408 and 31-9-409;
5. A commercial vehicle registered or proportionally registered in this and any other jurisdiction provided the vehicle is covered by a vehicle insurance policy complying with the laws of any other jurisdiction in which it is registered. (Ord. 2002-6, 7/8/2002).

#### 10.12.060 Safety belt use required.

A. Each driver and passenger of a motor vehicle operated within the Town limits shall wear, and each driver of a motor vehicle shall require that a passenger under 12 years of age shall wear, a properly adjusted and fastened safety belt when the motor vehicle is in motion on public streets and highways.

B. For purposes of this section, "safety belt" means a passenger restraint which was installed when the vehicle was manufactured.

C. Subsection A of this section does not apply to:

1. Any person who has a written statement from a physician that it is not advisable for the person to wear a safety belt for physical or medical reasons;
2. Any passenger vehicle which is not required to be equipped with safety belts under federal law;
3. A carrier of the United States postal service performing duties as a postal carrier;
4. Any person properly secured in a child safety restraint system in accordance state law; or
5. Any person occupying a seat in a vehicle in which all operable safety restraints are being used by the driver or passengers and any person occupying a seat in a vehicle originally manufactured without a safety belt.

D. No motor vehicle shall be halted solely for a violation of this section. A citation for a moving violation of the motor vehicle laws of this state shall be issued prior to issuance of a citation for violating seat belt usage requirements of this section.

E. All citations for violations of the traffic ordinances of the Town shall contain a notation by the issuing officer indicating whether the driver and passengers complied with this section. Compliance with this section shall entitle a licensee to a \$10.00 reduction in the fine otherwise imposed by any court having jurisdiction over the alleged offense. The driver who violates this section may be issued a citation and may be subject to a fine of not more than \$25.00. Any passenger who violates this section may be issued a citation and may be subject to a

fine of not more than \$10.00. (Ord. 2002-5, 7/8/2002)

Chapter 10.16  
SNOWMOBILES

Sections:

- 10.16.010 Defined and use restricted.
- 10.16.020 Prohibited vehicles.
- 10.16.030 Permitted operations.
- 10.16.040 Registration.
- 10.16.050 Towing.
- 10.16.060 Safety equipment.
- 10.16.070 Over-snow vehicle operators and passengers required to wear safety helmets.
- 10.16.080 Mufflers.
- 10.16.090 Brakes.
- 10.16.100 Inspections.
- 10.16.110 Rules of the road.
- 10.16.120 Hours of operation.

10.16.010 Defined and use restricted. "Over-snow vehicle" means any mechanically driven vehicle of a type which utilizes sled type runners, or skis or any endless belt tread or combination of these, designed primarily for operation over snow. No over-snow vehicle shall be operated within the town limits of the town in violation of any town ordinance. (Ord. 91-9 §1, 1991: prior code §5-108)

10.16.020 Prohibited vehicles. No over-snow vehicle shall be operated within the corporate limits which are propeller driven or which have tracks capable of damaging road surfaces. (Prior code §5-109)

10.16.030 Permitted operations. Over-snow vehicles shall operate over designated roadways when the same shall be snow covered or snow packed only, and such vehicles shall not be permitted to operate on the sidewalks. (Prior code §5-110)

10.16.040 Registration. No over-snow vehicle shall be operated within the town limits of the town without proper and valid registration in accordance with the laws of the state of Wyoming. (Ord. 91-20 §1, 1991: prior code §5-111)

10.16.050 Towing. No over-snow vehicle shall pull any skier, sled or other combination vehicle by rope or flexible coupling. All sleighs or cutters shall be safely and securely affixed to the over-snow vehicle by direct coupling, solid tongue, or triangular shaped tow-bar not to



exceed forty inches in length, being securely affixed to two points on the sleigh or cutter with one flexible joint at the center of the over-snow vehicle. (Prior code §5112)

10.16.060 Safety equipment. It shall be a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any roadway, any over-snow vehicle or combination of vehicles which is in such unsafe condition as to endanger any persons or property, or which does not contain those parts or is not at all times equipped with such equipment in proper condition and adjustment as required by this chapter or which is equipped in any manner in violation thereof. (Prior code §5-113)

10.16.070 Over-snow vehicle operators and passengers required to wear safety helmets. It is unlawful for any person to operate or ride upon or be towed behind any over snow vehicle within the town without wearing a safety helmet designed for that purpose. (Prior code §5-114)

10.16.080 Mufflers. Every over-snow vehicle shall be at all times equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. (Prior code §5-115)

10.16.090 Brakes. Every over-snow vehicle shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. (Prior code §5-116)

10.16.100 Inspections. The town police and members of the state highway patrol and county officials may at any time upon reasonable cause to believe that an over-snow vehicle is unsafe or not equipped as required by this chapter, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and test with reference thereto as may be appropriate. No person shall operate any vehicle after receiving notice with reference thereto as above provided except as may be necessary to return such vehicle to the residence or place of business of the owner or driver or to a garage, until said vehicle and its equipment have been placed in proper repair and adjustment and otherwise made to conform to the requirements of this chapter. (Prior code §5-118)

10.16.110 Rules of the road. Every operator of an over-snow vehicle shall observe all of the rules of the road pertaining to vehicles, and, in addition, shall yield the right-of-way to motor vehicles. All ordinances of the town pertaining to the operation of vehicles, to the extent that the same are not in conflict herewith, shall be applicable to the operation of over-snow vehicles and are adopted by reference and made a part hereof, the same as if set forth fully herein. In addition, all over-snow vehicles shall come to a complete stop at each and every street intersection or when coming out of an alley or off of private property upon or to cross a street before proceeding. Over-snow vehicles shall not be allowed to operate along paved streets or highways and will only be allowed to cross said streets at intersections. (Prior code §5-119)

10.16.120 Hours of operation. No snowmobile shall be operated within the town between the hours of nine-thirty p.m. and one half-hour before sunrise. (Prior code §5-120)

Chapter 10.25  
OFF-ROAD VEHICLES

Sections:

10.25.010 General Definitions.

10.25.020 Off-Road Recreational Vehicles.

10.25.030 Incidental Operation.

10.25.010: GENERAL DEFINITIONS

OFF-ROAD RECREATIONAL VEHICLE PER WYOMING STATUTE § 31-1-101(K):

- A. Type 1 - Any recreational vehicle primarily designed for off-road use which has an unladen weight of one thousand one hundred (1,100) pounds or less;
- B. Type 2 - Any unlicensed motorcycle which has an unladen weight of six hundred (600) pounds or less and is designed to be ridden off-road with the operator astride upon a seat or saddle and travels on two (2) tires; and
- C. Type 3 - Any multi-wheeled motorized vehicle not required by law to be licensed and is designed for cross-country travel on or over land, sand, snow, ice or other natural terrain and has an unladen weight of more than nine hundred (900) pounds.

OPERATOR: Every person who operates or is in actual physical control of the operation of an off-road vehicle.

10-25-020: OFF-ROAD RECREATIONAL VEHICLES:

Off-road recreational vehicles may be operated on the streets, roads and travel routes under the control of the Town of Marbleton subject to compliance with the following requirements:

- A. The off-road recreational vehicle shall display the current State of Wyoming off-road recreational vehicle registration decal;
- B. The operator must have a valid driver's license;
- C. Crossings of main-travelled roadways by the off-road recreational vehicle shall be made at right angles to the roadway or as nearly as practicable, but in any case, yielding the right-of-way to all traffic in the main-travelled roadway;
- D. When operating at any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, the off-road recreational vehicle shall be equipped with a use lighted lamp and illuminating devices in accordance with Wyoming Statutes § 31-5-910 through 31-5-940;
- E. The off-road recreational vehicle shall be equipped with an adequate braking device that may be operated either by hand or foot; and
- F. The off-road recreational vehicle shall be equipped with a noise muffler which produces a propulsion noise level of not more than one hundred two (102) decibels at twenty (20) inches in a stationary test.

G. The off-road recreational vehicle shall abide by and be subject to all legal requirements for the operation of a vehicle on Town Streets not in conflict with this Ordinance, including, but not limited to, regulation of speed and possession of liability insurance.

10-25-030: INCIDENTAL OPERATION: The occasional incidental operation of off-road recreational vehicles for non-recreation purposes shall be permitted on town streets subject to requirement set forth in Town Ordinance 6-4-12, but in addition, wherever practicable, the off-road recreational vehicle shall be operated off the main-travelled portion of the Town street.