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An Ordinance amending Title 16, Vehicles and Traffic, of the City Code, updating the City Code, clarifying the language and modifying the fee structures for media and construction permits.

Section 1. The Council finds:

1. That extensive portions of the Code needed to be updated to current practices.
2. That provisions needed to be made for new policies dealing with carpools, mass transit and light rail systems.
3. That references to State Codes which have been revised or repealed, needed to be updated.
4. That the Code had specified that the municipal courts were responsible for handling parking problems which are now under the jurisdiction of the district courts.
5. That certain language was unclear and caused problems for enforcement.

NOW, THEREFORE, the Council directs:

- a. That Title 16, Vehicles and Traffic, of the Code of the City of Portland, Oregon, be amended to read as follows:

## Code Changes

## Explanation

16.02.006 Alley. Alley means a road or lane intended to provide access to the rear or side of lots or buildings, and not intended for through vehicular traffic.

There has been reference to but no definition of alley in other sections of the code.

16.02.015 Bank-zone. --Bank-zone means the space adjacent to the curb in front of or adjacent to any bank building designated by official signs or markings.

The city no longer designates "bank zones" and this definition is not needed.

16.02.015 Bicycle. Bicycle means a two wheeled cycle propelled exclusively by human power with every wheel more than 14 inches in diameter, or with two tandem wheels either of which is more than 14 inches in diameter or which meets the above criteria with training wheels attached.

With increased use of "bicycles" and "mopeds", the city needs a definitional distinction for enforcement purposes.

16.02.016 Bicycle lane. Bicycle lane means that part of the roadway designated by official signs or markings for use by persons riding bicycles; or for use by persons riding mopeds as provided by Section 16.24.025.

16.02.017 Bicycle path. Bicycle path means a public way maintained for exclusive use by persons riding bicycles and designated as such by official signs or markings.

16.02.018 Bicycle trail. Bicycle trail means a publicly owned and maintained lane or way designated and assigned for use as a bicycle route, and may include both a bicycle lane and a bicycle path.

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## Code Changes

16.02.020 Bus loading zone. Bus-loading-zone-means-the space-adjacent-to-the-curb-reserved-for-the-exclusive-use-of motor-busses,-trolley-busses-and-taxicabs-in-the-loading and-unloading-of-passengers-and-merchandise-and-designated by-official-signs-or-markings-

16.02.020 Bus zone. Bus zone means the space adjacent to the curb, designated by official signs or markings for the exclusive use of busses to load and unload passengers and merchandise.

16.02.025 Bus-trailer.--Bus-trailer-means-any-trailer designated-and/or-used-for-carrying-human-beings-

16.02.025 Camper. Camper means a structure containing a floor that:

(a) Is designed to be mounted upon a motor vehicle, and is not permanently attached thereto;

(b) Is designed to provide facilities for human habitation or for camping or other recreational purposes.

(c) Is six feet or more in overall length and five and one-half feet or more in height from floor to ceiling at any point.

16.02.026 Camper trailer. Camper trailer means a trailer designed for camping or other recreational purposes, which has one or more axles designed to support a portion of the weight, and is towed or pulled by another vehicle.

16.02.027 Carpool vehicle. Carpool vehicle (a) means any vehicle that is designed to seat three or more people and is utilized to transport on a regular basis, three or more people including the driver, from a point of origin to a destination;

(b) For the purpose of this title of the City Code, carpool vehicle specifically means any vehicle described in (a) above, which displays a carpool permit issued by the Tri-County Metropolitan Transportation District of Oregon.

## Explanation

The revised version reflects the current practice of eliminating "trolley bus" and taxicab use of bus zones. The new section heading correlates with the marking on official signs.

This is an old term which is no longer relevant today.

There had previously not been an accurate definition of a camper in the code, and the language used in this section was adopted verbatim from the ORS definition.

With a new carpool policy instituted throughout the city, a definition is necessary.

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## Code Changes

16.02.035 Chauffeur. Chauffeur means ~~every~~ a person who is self-employed or employed by another for the principal purpose of driving a motor vehicle, ~~and every person who drives a motor vehicle~~ carrying persons or property for compensation. The term "chauffeur" does not include ~~students drivers~~ operating vehicles commonly know and used as private passenger vehicles and which vehicles are not operated for compensation, except in the transportation of ~~students~~ persons to and from work or school.

6.02.036 Compact car. Compact car means any vehicle which will fit within the space lines of a space designated for compact cars by official signs or markings.

16.02.055 Construction zone. Construction zone means the space adjacent to the curb and in immediate proximity to the premises where construction, alteration, remodeling, repairing, or similar work is in progress, and designated by official parking meter or sign hoods, signs or markings.

16.02.069 Crosswalk. Crosswalk means that portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street or highway measured from the curbs or, in the absence of curbs, from the edges of the traveled roadway to the property lines, ~~or the prolongation of the lateral lines of a sidewalk, to the sidewalk on the opposite side of the street except when such prolongation would not meet such sidewalk on the opposite side of the street,~~ or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface of such roadway conforming in design to standards prescribed by the State Highway Commission; provided, however, that whenever marked crosswalks have been indicated, such crosswalks and no other shall be deemed lawful across such roadway at that intersection.

## Explanation

This change is designed to clarify the term chauffeur.

The definition reflects the enforcement policy of allowing any vehicle to park in a compact car space as long as it fits within the markings. Since compact spaces vary in length, and since the term "compact" is used in so many contexts, this is the most practical definition.

This is to clarify official designation, since a great deal of the reservation of such zones is done with parking hoods.

In order to make the definition easier to understand, excess language has been eliminated without changing meaning of the term crosswalk.

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## Code Changes

## Explanation

~~16.02.075 Emergency-zones.--"Emergency-zones"-mean-places designated-with-official-signs,-barricades-or-other-markings by-the-department-of-public-works-or-bureau-of-police-where during-emergencies-or-because-of-contingent-emergencies-no parking-shall-be-allowed-~~

16.02.075 Emergency zone. Emergency zone means a place designated with official signs, barricades, or other markings in which parking shall not be allowed, except for emergency vehicles during an emergency.

~~16.02.080 Entrance-zone.--Entrance-zone-means-the-space adjacent-to-the-curb-in-front-of-the-entrance-to-any-public building,-school-building,-theater,-church,-or-fire-house, and-designated-by-official-signs-or-markings-~~

The city code no longer uses "entrance zone" designation, and this section should be deleted.

16.02.086 Farm Vehicle (or implement of husbandry). Farm vehicle or implement of husbandry means every vehicle designed exclusively for use in agricultural operations, excluding vehicles designed exclusively for the transportation of persons or property. (ORS 483.012(1)).

The title has been changed and definition of implement of husbandry has been added.

16.02.090 Fire house station. Fire house station means any building used for the purpose of housing fire apparatus of the city.

~~16.02.095 For-hire-car.--For-hire-car-means-any-motor-vehicle, with-or-without-driver,-regularly-engaged-in-the-hauling-of goods,-wares,-or-merchandise-or-the-transportation-of-persons for-compensation.--The-term-"for-hire-car"-does-not-include-a "motor-bus"-or-"taxicab"-as-defined-in-this-chapter-~~

16.02.100 For-hire-car-zone.---For-hire-car-zone-means-the space-adjacent-to-the-curb-reserved-for-the-exclusive-or temporary-use-of-for-hire-cars,-and-designated-by-official signs-or-markings-

16.02.105 Gross weight. Gross weight means the weight of a vehicle or combination of vehicles, or wheel, or axle, or tandem axles or group of axles, without-lead plus the weight of any load thereon.

The deleted language is unnecessary.

## Code Changes

## Explanation

16.02.115 Hotel loading zone. Hotel loading zone means the space adjacent to the curb and in immediate proximity to any hotel or apartment hotel reserved for the loading and unloading of guests and designated by official signs and or markings

This revision is to allow for uniformity in the code and to make this section correlate with posted signs or markings.

16.02.117 ~~House-trailer.-(a)-House-trailer-means-a-trailer-that-is:~~

~~{1}-Of-a-type-designed-to-be-used-upon-the-streets;-and  
{2}-Capable-of-being-used-for-human-habitation-or-of-being used-for-business-purposes;-and  
{3}-Twelve-feet-or-more-in-overall-length-from-the-foremost-point-of-the-trailer-hitch-to-the-rear-extremity-of-the trailer-body-and-six-feet-or-more-in-height-from-floor-to ceiling,~~

~~{b)-House-trailer-does-not-include-a-trailer-that-has-substantially-lost-its-identity-as-a-vehicle-by-virtue-of-being permanently-fixed-in-a-location-upon-the-land-by-foundation, attached-structures-and-fixed-pipe-connections-with-sewer, water-or-other-utilities. {ORS-481.002}~~

This definition can be deleted since there are new ORS provisions which more accurately describe various vehicles of this nature, and these have been added to title 16, ie; Mobile home, motor home, mobile construction trailer and camper.

16.02.120 Implement of husbandry. (delete heading and place under Farm Vehicle .

16.02.126 Light rail transit system. Light rail transit system means a commuter transit mode consisting of steel wheeled rail vehicles, powered electrically through overhead lines, operating predominantly on exclusive right-of-way that need not be grade separated, and consisting of two or more relatively large vehicles.

This definition is to accommodate the new light rail transit system which is to soon be implemented in portions of the city.

16.02.127 Light rail vehicle. Light rail vehicle means a component car in a light rail transit system.

16.02.130 Loading zone, truck. (delete the heading and re-index under Truck loading zone. See Truck loading zone for further revisions which have been made.)

For uniformity throughout the code, loading and other zones should be listed according to the vehicle or service with which they are associated.

16.02.151 Mobile home. Mobile home (excluding a modular home, prefabricated home and tent trailer) means a trailer

This is for clarification of vehicles and was adopted verbatim from ORS provisions.

(a) Is designed to be transported or used upon the highways;

(b) Is capable of being used for human habitation or for business, commercial or office purpose;

(c) Is not a travel trailer; and

(d) Is not a mobile construction trailer.

16.02.152 Mobile construction trailer. Mobile construction trailer means a trailer that is used temporarily in conjunction with a construction site for office and other related purposes.

16.02.153 Moped. Moped means a cycle equipped with foot pedals to permit muscular propulsion, an independent power source and a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the drive system is engaged.

"Moped" includes a cycle designed as a bicycle that is equipped with a power source that complies with this paragraph:

(1) If a combustion engine is used, has a piston or rotor displacement of 3.05 cubic inches or less or 50 cubic centimeters or less, regardless of the number of chambers in the power source; and

(2) Is capable of propelling the moped, unassisted, at a speed of not more than 30 miles per hour on a level road surface; or

(3) Is a self-propelled cycle with a displacement of not more than 50 cubic centimeters.

With increased use of mopeds and bicycles, a definitional distinction for enforcement purposes and general knowledge to the public is necessary. This definition was adopted from ORS provisions, and it does a good job of defining "moped", which is a motorized vehicle, of small proportions.

16.02.156 Motor home. Motor home means a motor vehicle that;

(a) Is ordinarily designed, reconstructed, or permanently altered to provide facilities for human habitation; or

(b) Has a camper permanently attached to it.

~~16.02.160 Motor truck. Motor truck means every motor vehicle designed, used, or maintained primarily for the transportation of property and having a gross weight, as defined herein, in excess of six eight thousand pounds.~~

~~16.02.170 Motorcycle. Motorcycle-means-every-motor vehicle,-except-tractors,-designed-to-travel-on-not-more than-three-wheel-in-contact-with-the-ground.~~

Motorcycle means any self-propelled cycle that is not a moped.

16.02.171 No parking zone. No parking zone means any space adjacent to the curb, or edge of the roadway, street, avenue or any portion thereof on which parking has been prohibited by official signs or markings.

16.02.172 Official Vehicle. Official vehicle means any publicly owned vehicle.

16.02.175 Official ear vehicle zone. Official ear vehicle zone means the space adjacent to the curb reserved for the exclusive use of official ears, vehicles, and designated by official signs or markings.

Deleted the word "motor", place under the heading of "Truck" and retain the definition. All trucks have motors, and for reference purposes, truck is the word most people will expect to be used.

With increased use and confusion over the status and proper use of "mopeds", the old definition has become inadequate for drawing a distinction. The new definition of motorcycle and moped is in accordance with ORS provisions.

For traffic control purposes, such a section is necessary.



## Code Changes

## Explanation

16.02.180 Official traffic control device. Official traffic control device means all signs, signals, markings and devices not inconsistent with this title placed or erected under the direction of the bureau of traffic engineering for the purpose of guiding, directing, warning, or regulating traffic or parking.

16.02.185 Operator. Operator means any person, ~~other than-a-chauffeur~~, who is in actual physical control of a motor vehicle upon the highways or streets of this city.

16.02.190 Owner. Owner means the person having all the incidents of ownership in a vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to possession of a vehicle under a security agreement, or lease for a term of ~~ten~~ thirty or more successive days.

16.02.200 Park, Parking or parked. Park, parking or parked means the stopping or standing of any vehicle upon any street or highway within the city, whether such vehicle is occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or freight, for 30 or more seconds, or in obedience to traffic regulations, ~~or-traffic~~ signs or signals.

## Code Changes

16.02.206 Parking strip. Parking strip means that area between the curbing or edge of the roadway and an improved sidewalk.

16.02.210 Pedestrian. Pedestrian means a person afoot; a person operating a pushcart; a person riding on, or pulling a coaster wagon, sled, scooter, tricycle, bicycle with wheels less than 14 inches in diameter, or a similar conveyance, or on roller skates, skateboard, wheelchair or a baby in a carriage.

16.02.230 Private road or driveway. Private road or driveway means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

16.02.231 Refuse container. Refuse container means a dropbox or container in which trash or any other refuse material is temporarily stored or collected. For the purposes of title 16, a refuse container will be considered as a vehicle in terms of parking provisions and restrictions.

16.02.232 Quiet zone. Quiet zone means the territory in the vicinity of a hospital, sanitarium, or convalescent home or any other area so determined by the noise review board, which is and designated by official signs or markings.

16.02.233 Reserved zone. Reserved zone means any space adjacent to the curb or edge of the roadway which is exclusively reserved for those vehicles which have been assigned the use of such space through official permits or other means of designation.

## Explanation

Parking strip is used extensively throughout portions of the code, and there has not been a definition to explain what it was.

With the addition of driveway in the definitional section of the code earlier this year, it is no longer necessary to retain the work in this section.

For uniformity in indexing, "zones of quiet" was changed to "quiet zone". This change also reflects the wording on signs which designate such areas.

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## Code Changes

## Explanation

16.02.255 Scenic area zone. Scenic area zone means off-street parking zones designated by official signs or markings for the exclusive purpose of viewing points of interest, including but not limited to picturesque landscape, historical markers, and memorials.

16.02.291 Stand or Standing. Stand or standing means the halting of a vehicle, whether occupied or not, for a period not to exceed thirty seconds, except to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

16.02.292 Stop or stopping. Stop or stopping when prohibited means any halting even momentarily of a vehicle, whether occupied or not, except to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

16.02.300 ~~Streetcar.--Streetcar-means-every-device traveling-exclusively-upon-rails-when-upon-or-crossing a-street-other-than-cars-or-trains-propelled-or-moved-by steam-engine-or-by-diesel-engine.~~

Streetcars are no longer in existence in the city and light rail shall replace them as a means of transportation.

16.02.305 ~~Streetcar-loading-zone.--"Streetcar-loading zone"--means-the-space-adjacent-to-the-curb-reserved-for the-exclusive-use-of-streetcars-in-the-loading-and-unloading-of-passengers,-and-designated-by-official-signs or-markings.~~

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~~16.02.320 Taxicab.--"Taxicab"--means-every-motor-vehicle equipped-with-a-taximeter-which-is-used-as-a-basis-for determining-rates.~~

Taxicab. Taxicab means any motor vehicle which carries passengers for hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of an initial fee, distance traveled waiting time or any combination thereof, and which is duly licensed by the City of Portland as a taxicab.

~~16.02.350 Tourist-zone.--"Tourist-zone"--means-the-space adjacent-to-the-curb-reserved-for-the-exclusive-use-and benefit-of-nonresident-motorists,-and-designated-by official-signs-or-markings.~~

There no longer are "tourist zones", instead scenic area zones designate such areas of interest.

16.02.350 Traffic. Traffic means pedestrians, ridden or herded animals, vehicle, light rail, motor busses, and other conveyances, either singly or together, while using any street or highway for purposes of travel.

16.02.366 Travel trailer. (including a tent trailer) means a trailer that:

- (a) Is of a type designed to be used on the highways;
- (b) Is capable of being used for human habitation;
- (c) Is not more than eight feet wide and is six or more feet in height from floor to ceiling. Where a trailer telescopes for travel or has expansion sides of "tip out's", for purpose of determining the height, the size shall apply to the trailer as fully extended and for the purposes of determining the width the size shall apply to the trailer in the usual travel position; and
- (d) Except in the case of a tent trailer, has four permanent walls when it is in the usual travel position.

16.02.385 ~~Trolley-bus.--"Trolley-bus"--means-every-vehicle which-is-propelled-by-electric-power-obtained-from-over-head-trolley-wires,-but-not-operated-upon-rails.~~

16.02.385 Truck. Truck means every motor vehicle designed, used, or maintained primarily for the transportation of property and having a gross weight as defined herein, in excess of ~~six~~ eight thousand pounds.

16.02.386 Truck loading zone. Truck loading zone means the space adjacent to the curb reserved for the exclusive use of truck or commercial vehicles, while actually engaged in the loading or unloading of passengers, goods, wares, merchandise or materials, and designated by official signs or markings.

16.02.400 ~~Zones-of-quiet,--"Zones-of-quiet"--mean-the territory-in-the-vicinity-of-a-hospital,-sanitarium, or-convalescent-home,-and-designated-by-official-signs or-markings,~~

16.02.400 Wheelchair. Wheelchair means a chair mounted on wheels which serves as a means of transport, especially for invalid or handicapped individuals.

16.02.401 Wheelchair ramp. Wheelchair ramp means an inclination, ramp-like structure, or any other such device designed to serve and provide ease of access from the sidewalk to the street for individuals using a wheelchair.

Code ChangesExplanation

16.06.010 Citation forms. (a) All traffic and parking citation forms used by the ~~municipal court~~ district court shall be in a form approved by the commissioner in charge of the bureau of police ~~and the auditor~~. Traffic citation forms shall conform to the requirements of ORS 484.150. The original of the traffic citation form, when completed to meet the minimum requirements of a complaint under ORS 484.170, may serve as a complaint, but other forms of traffic complaints are prohibited.

(b) Citation form books for both parking and traffic violations shall be provided by the district court auditor and upon request be ~~distributed to the presiding judge of the municipal court, who shall issue them~~ to the police officers, or parking patrol deputies who shall issue them. The presiding judge shall be responsible for all forms provided ~~him~~.

(c) A list of the traffic citations issued by police officers and parking patrol deputies, shall be prepared and forwarded ~~by the clerk of the court~~ to the auditor district court within twenty-four hours after ~~receipt of~~ the citations ~~by the clerk from the~~ have been issued by police officers or parking patrol deputies.

The revisions made throughout the entire 16.06 section of the code reflect administrative changes which have been previously instituted to handle parking and traffic citations. This revision updates primarily the procedural aspects of citations. The district court now has the citation responsibilities which were once shared between the municipal court and the city auditor.

Parking patrol deputies are now enforcing provisions of the code ~~that relate~~ to parking.

16.06.020 Waiver of citations. The ~~municipal~~ district court shall be the only agency authorized to waive the penalty provided by this title of the city for violation of which the citation has been issued. The judge of the ~~municipal~~ district court shall establish and publish the minimum amounts which may be posted by any person charged with violation for which a traffic

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## 16.06.020 (con't)

citation has been issued. The penalty as provided by this title shall be waived only when the traffic citation is found to have been issued in error or where, after hearing before the court, it appears that manifest injustice would be done. The court shall endorse upon or attach to a copy of the traffic citation the reasons for waiving the penalty in each case. ~~7-and-the-same-shall-be-filed-with-the-auditor.~~ In every case it shall be the duty of the ~~municipal~~ district court or the clerk thereof in cases where bail has been forfeited, a fine paid to the traffic violations bureau, or in cases where court appearance has been ~~had~~, made, to ~~return-to-the-auditor~~ file a copy of the citation form together with information thereon or attached thereto showing the record of disposition. ~~It-shall-be-the-duty-of-the-auditor-to-check-the-traffic-citation-issuance-against-the-return-made-by-the-municipal-court.~~ He shall keep a record of such disposition, and report the same to the council at least once each month.

## 16.06.030 Docket entries - Procedure after citation issued.

In all cases involving traffic violations, the proceedings, including the plea, finding and judgment, shall be recorded on the back of the complaint, or on a form attached thereto, and the same shall serve as a judgment order and docket.

Any person receiving a parking citation as provided by Section 16.06.060 shall not be listed on the trial list until after failure to appear and post bail, but this shall not apply in any case where a warrant of arrest

16.06.030 (con't)

has been issued. It shall be the duty of the clerk of the ~~municipal~~ district court to maintain and supervise suitable facilities for the posting and handling of bail. A daily report shall be made to the court of all bail posted, and it shall be the duty of the judge of the said ~~municipal~~ district court to declare such bail forfeited. ~~A report of such forfeiture shall be immediately made to the auditor.~~

In any case wherein a person charged with the violation of this title for which a parking citation has been issued neglects or refuses to post bail or requests court appearance, or seeks to be relieved of the penalty for such violation it shall be the duty of the person in charge of traffic bail to transfer such case to the trial list for the next succeeding court day; to advise the person so charged of the date and the time at which his case will be heard; and to notify the arresting officer. It shall be the duty of the ~~municipal~~ district court to issue forthwith a bench warrant for any person having been so notified for court appearance who fails to appear on the date and time set.

In all cases wherein a driving citation as provided by Section 16.06.050 has been issued such arrest shall be placed on the trial list of the ~~municipal~~ district court; provided however, that in any case wherein bail has been established by the presiding judge of the ~~municipal~~ district court the person so charged may post bail; and if the said person does not thereafter appear in the ~~municipal~~ district court on the date and at the time set, such

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## 16.06 .030 (con't)

bail may be forfeited; and provided further that a person so charged may, subject to the rules of the traffic violations bureau, enter a plea of guilty and waive court appearance, and pay a specified fine pursuant thereto.

16.06.040 Mutilation of traffic citations.  
(no change)16.06.050 Traffic arrests and citations.  
(no changes) .

16.06.060 Parking citations. Whenever any vehicle ~~is~~ found parked or stopped in violation of this title or any other title of the city, the police officer or parking patrol deputy in finding the vehicle shall issue a serially numbered parking citation to its occupant, or leave the citation attached to or placed upon the vehicle if unoccupied. The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

## 16.06.070 Delivery of summons in traffic cases.

(a) An officer issuing a traffic citation shall cause the summons copy to be delivered to person cited and shall cause the complaint and remaining copies of the citation to be delivered within 24 hours to the clerk of the municipal district court. When ~~the~~ complaint is certified by a private person, the Court shall cause the summons to be delivered to the defendant.

(b) (there are no changes in this subsection).

16.06.080 Court appearances in traffic cases.  
(no changes)

Code ChangesExplanation

16.06.090 Forwarding record of conviction.  
The ~~municipal~~ district court shall, within twenty-four hours after the conviction of any person for the violation of any provision of this title, forward a record of that conviction to the Department of Motor Vehicles of the state unless the conviction is for a petty offense of the nature described in Sections 16.20.010-16.20.170, and the ~~municipal~~ district court may recommend the suspension of the operator's or chauffeur's license of the person so convicted.

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## Code Changes

## Explanation

### Chapter 16.08

#### ADMINISTRATION AND ENFORCEMENT\*

~~\*For statutory provisions requiring the operation of motor vehicles in conformity with law see, ORS-483.046.~~

Section 483.046 has been repealed and should no longer be listed .

16.08.010 Bureau of traffic engineering-  
Traffic signs and markers.

(d) It is unlawful for the driver of any motor vehicle, bus, ~~trolley-bus, or streetcar~~ or light rail to violate the legend or direction contained on any sign, signal or marking now installed or hereafter installed upon any street, avenue, highway, or other public way within the city by the bureau of traffic engineering, as herein authorized.

This change is to coincide with the incorporation of the light rail into the city's transporation system

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## Chapter 16.10

## SIGNS, SIGNALS AND MARKING\*

~~\* As to the power to local authorities to erect and maintain signs which are necessary for the regulation of traffic see 7-ORS-483.044.~~

Section 483.044 has been repealed and should no longer be listed.

16.10.010 Authority to erect and maintain. (Amended by Ord. No. 146295 passed Aug. 16, effective Sept. 16, 1978) Subject to such authority as may be vested in the State Highway Commission, the bureau of traffic engineering shall cause appropriate signs to be erected and establish maintenance standards for designating business and residence districts and railway, light rail, or interurban railway grade crossings and such other signs, markings and traffic control signals as may be deemed necessary to direct and regulate traffic and to carry out the provisions of this title, and such additional signs as may be appropriate to give notice of local parking and other special regulations. The erection and maintenance of such signs, markings and signals within the city under direction of the traffic engineer shall be deemed an administrative act to be performed under the authority granted by the laws of the state and the provisions of the title.

This change is to coincide with the incorporation of the light rail into the city's transportation system.

## Code Changes

## Explanation

16.10.030 Traffic control signal legend.

(b) The driver of a vehicle or the motorman of a ~~streetcar-or-trolley-bus~~ light rail vehicle intending to turn to the right or left at an intersection where traffic is controlled by traffic signals or by a police officer shall proceed to make either turn with proper care to avoid accident upon the green or "go" signal alone, unless otherwise directed by a police officer or by official traffic signs or special signals, and upon the red or "stop" signal alone may, after stopping, cautiously proceed to make a right turn into a two-way street or either a right or left turn into a one-way street, in the direction of traffic upon the one way street, with proper care to avoid accident, unless otherwise directed by a police officer or by official traffic signs or special signals.

This change is to coincide with the intcorporation of the light rail into the city's transportation system.

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## Chapter 16.12

RECKLESS DRIVING-DRIVING UNDER INFLUENCE OF LIQUOR  
OR DRUGS\*

\*For statutory provisions creating presumptions of intoxication see, ORS ~~483.634-483.646~~ 487.805, .810, .815, .825, .830, .835; See also, 16 A.L.R. 3d 748.

Section 483.046 has been repealed and should no longer be listed.

16.12.010 Driving while under the influence of liquor or drugs. (Amended by Ord. No. 131412 passed and effective Aug. 26, 1970.)

(a) It is unlawful for any person, while being under the influence of intoxicating liquor, dangerous drugs or narcotic drugs, to drive any vehicle upon any street. A person who violates this section shall be punished, upon conviction, by imprisonment in the city jail for not more than six months, or by a fine of not more than five hundred dollars, or both.

(b) ~~(Amended by Ord. No. 133328 passed Sept. 9 effective Sept. 30, 1971) -- As used in subsection~~

~~(a) of this section "dangerous drugs" means any drug designated a dangerous drug by the Drug Advisory Council under ORS 680.660 or defined in ORS 475.010.~~

16.12.012 Driving while intoxicated. (Added by Ord. No. 133328, passed and effective Sept. 9, 1971). It is unlawful for any person to drive any vehicle upon a street when that person has .15.10 percent or more by weight of alcohol in his blood as shown by chemical analysis of the person's breath, blood, urine or saliva made pursuant to Sections 16.12.040 to 16.12.100 o this title. Violation of this section is punishable, upon conviction, by imprisonment in the county or city jail for not less than six days and not more than six months or a fine of not more than five hundred dollars, or both.

This change is to have city code coincide with state code, ORS 487.540, which sets the intoxication level at .10.

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## Code Changes

## Explanation

16.12.110 Driving in a careless manner.  
(c) A person convicted of violating subsection (a) of this section shall be punished, upon conviction, by imprisonment in the city jail for not more than sixty days or by a fine of not more than two hundred fifty dollars, or both ~~{ORS-483.343}~~

Section 483.343 has been repealed and should no longer be listed.

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## Code Changes

## Explanation

16.16.020 Maximum speeds as evidence of speed violation. Any speed in excess of the speeds designated in this section or designated by the State Speed Control Board under ORS ~~483.106~~ 487.480, when appropriate signs giving notice thereof are posted, shall be prima facie evidence of violation of Section 16.16.010. The speeds designated in this section are: (there are no further revisions of 16.16.020 and the remaining portions should not be changed).

ORS 483.106 has been renumbered 487.480.

16.16.030 Penalties for basic speed rule violations. (a) Any violation of Section 16.16.010, unless such violation occurs under the conditions of subsection (b), is punishable upon conviction by a fine of not more than twenty-five dollars, or by imprisonment for not more than five days, or both.

ORS 483.106 has been renumbered 487.480.

(b) Any person who drives a vehicle upon a street at a speed in excess of that designated for the particular district or location by Section 16.16.020 or by the State Speed Control Board pursuant to ORS ~~483.106~~ 487.480, and who, while so driving, violates the basic rule set forth in Section 16.16.010, shall upon conviction be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ten days, or both.

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16.16.070 Speed limits of solid tired vehicles of specified tire widths. (There are no changes in (a) or (b)).

(c) Motor trucks, when equipped with pneumatic tires, shall be subject to the provisions of Section 16.16.010; but the maximum speed for such trucks on any street shall be fifty miles per hour, except that on an interstate highway on which a speed, greater than the speed designated by Section 16.16.020 (3) has been designated under Sections 487.480 or 487.490 ~~483.106~~ or ~~483.108~~ Oregon Revised Statutes, the maximum speed for such trucks shall be fifty-five ~~sixty~~ miles per hour. As used in this subsection, "interstate highway" means a highway that is part of the National System of Interstate and Defense Highways established pursuant to Section 103 (d) title 23, United States Code. This subsection does not apply to ambulances or hearses.

The changes allow the city code to refer to the proper ORS provisions.

(d) (Amended by Ord. No. 133328, passed and effective Sept. 9, 1971) Motor buses, ~~trolley buses~~, school buses having seating capacity of twelve or more passengers, worker-transport buses as defined in ORS 485.010 and vehicles commonly known as highway post office buses, designed and used for transporting United States mail and postal clerks, shall be subject to the provisions of Section 16.16.010; but the maximum speed for such buses on any street shall be fifty-five miles per hour, except that on any street on which a lower ~~greater~~ speed has been designated by the State Speed Control Board under ORS 487.490 ~~483.108~~ and on which appropriate signs giving notice thereof are erected, the maximum speed ~~for-motor-buses-and-highway-post office-buses~~ shall be the lower speed sixty-five, whenever-is-less,

16.18.030 Turning around prohibited. The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction:

- (1) Upon any curve or upon the approach to or near the crest of a grade;
- (2) Upon any street between intersections;
- (3) Where by the placing of markers, buttons or signs reverse turns have been prohibited by the bureau of traffic engineering acting in behalf of the city;
- (4) At an intersection within the metropolitan traffic district;
- (5) At an intersection where by signs or signal traffic in any direction is required to stop; or
- (6) At any place upon a street where the view of such vehicle is obstructed, in either direction, within a distance of five hundred feet along the street. (~~ORS-483.318~~).

ORS 483.318 has been repealed and should not be listed.

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Code Changes

Explanation

Chapter 16.20

PARKING

~~\*-As-to-the-authority-of-municipalities-to-control  
parking-on-state-highways-see,-ORS-483.350-~~

ORS 483.350 has been repealed, and this should not be listed.

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## Code Changes

## Explanation

16.20.020 (3) ~~Between-a-safety-zone-and-the-adjacent curb-or-within-thirty-feet-of-points-of-the-curb immediately-opposite-the-ends-of-a-safety-zone-unless local-or-traffic-authorities-shall-indicate-a-different length-by-signs-or-markings.~~

"safety zone" has been repealed

16.20.020 (5) Within a twenty-five foot radius of the center lines of a street or highway and a steam, interurban railway, or light rail crossing.

To accommodate light rail transit.

16.20.020 (7) Within ten feet of a fire hydrant, save and except attended taxicabs occupying properly signed taxi zones.

In response to unattended cabs being left in such areas.

16.20.020 (8) In front of a ~~private~~ driveway;

16.20.020 (12) At any place where official signs, curb paint, or markings have been installed prohibiting standing, ~~stopping~~ or parking; provided, however, driver attended ~~private-passenger-motor~~ vehicles ~~and-taxicabs~~ may stop for not to exceed thirty seconds, ~~in-such tow-away-zone~~, for the sole purpose of loading or unloading passengers;

16.20.020 (13) At any place designated as a tow away zone where official signs have been installed prohibiting standing, stopping or parked; provided, however, driver attended private passenger motor vehicles and taxicabs may stop for not to exceed thirty seconds in such tow away zone, for the sole purpose of loading or unloading passengers;

16.20.020 (14) At any place where official signs have been installed prohibiting stopping or parking, even momentarily, except to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

The previous section number 14 was moved to section number 5 to allow the present sections 12, 13 and 14 to read consecutively.

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## Code Changes

## Explanation

16.20.020 (16) (Amended by Ord. No. 139647 passed March 20, effective April 21, 1975) In any street, alley, or lane, so as to prevent the free passage of other vehicles or ~~street-cars~~ lightrail vehicles in both directions at the same time except on one-way streets, or so as to prevent any vehicle or ~~street-car~~ lightrail vehicles from turning from one street to another street.

16.20.020 (22) ~~In any entrance zone except to load or unload passengers for a period of time not to exceed one minute, except in any area designated as a tow away zone during the hours when stopping or parking is prohibited.~~

This paragraph reads essentially the same as 16.20.020 (12).

16.20.020 (25) In any bus loading zone except a motor bus, trolley bus, or taxicab actually engaged in loading or unloading passengers or merchandise for a period not exceeding two minutes. Taxicabs using any bus loading zone shall use only the entrance end of the zone and shall not use such zones between the hours of four-thirty p.m. and six p.m.

16.20.020 (27) ~~In any tourist zone except by non-resident motorists for a period of time not to exceed twenty minutes.~~

There no longer is a "tourist zone".

16.20.020 (30) (Added by Ord. No. 131333, passed and effective Aug. 13, 1970). Within any city park, or ~~part~~ area thereof, during the time such park, or ~~part~~ area thereof, is closed to the public; or while the park is open to the public, in any part area thereof which is not designated for parking by official signs or markings.

This change is to alleviate parking problems which have been occurring while the park is open.

16.20.030 (2) ~~It is unlawful to park any vehicle within a bank zone or other designated thirty minute district for a period of time longer than thirty minutes between the hours designated by official signs, markings or parking meters placed by the bureau of traffic engineering.~~

This section is covered under 16.20.040.

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## Code Changes

## Explanation

16.20.030 (3) ~~It is unlawful for any person to park, except for the purpose of loading or unloading passengers, any bus, local or interurban, on any street within the metropolitan traffic district.~~

This section is covered under 16.20.020(12)

16.20.080 Right-of-way for parking  
The motorist who first begins to maneuver his vehicle into a vacant parking space shall have a prior right-of-way to park in such a space. It is unlawful for another driver to attempt to deprive the first driver of such a space by blocking access or otherwise interfering with his right to park.

This section simply reads better under the new version.

16.20.100 Special parking permits.  
(New Section substituted by Ord. No. 133160 passed Aug. 12, 1971, effective Jan. 1, 1972) Upon approval of an application by the commissioner in charge of the bureau of Traffic engineering and the Chief of Police, the commissioner shall issue, without charge, a special parking permit for any governmentally-owned vehicle. The permit shall designate areas wherein it may be used and may contain such restrictions as are deemed necessary by the commissioner.

This changes the location where a special permit must be displayed from the sun visor on the driver's side to the center of the windshield. This new location will allow both walking and scooter deputies to easily see the permit and avoid incorrectly citing vehicles legally stopped.

A special parking permit allows parking without charge in any area designated thereon, ~~other than loading zones, when the permit is displayed either on the sun visor or on the windshield in front of the driver's seat when the car is parked.~~

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16.20.100 (cont'd)

It shall be the duty of any person using a governmentally owned vehicle and lawfully in possession of an identification card issued under authority of this title to hang the card from the inside rear view mirror or place the card in the center of the windshield area either on the dashboard or propped against the windshield so as to be easily visible from both the curb side and the street side while the vehicle is parked.

The permit shall not be displayed on any vehicle other than that for which it was issued. The permit is revocable at any time.

All special parking permits issued under this section shall expire on the last day of the calendar year in which issued. A new permit may be issued for ensuing years by the commissioner if a new application is filed and approved in the same manner as was the original application.

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## Code Changes

16.20.110 ~~Parking-permit-for-disabled-persons.--(Amended by-Ord.-No.-146963-passed-Dec.-13,-1978,-effective-Jan.-13,-1979.)--Any-person-who-qualified-for-"Disabled-Person" status-as-prescribed-in-ORS-487.915-may,-as-an-alter-native-to-applying-to-the-Motor-Vehicles-Division-of-the Oregon-State-Department-of-Transportation-for-"Disabled Person"-license-plates,-make-application-to-the-commissioner in-charge-of-the-bureau-of-traffic-engineering-in-the manner-prescribed-in-Section-16.20.100-for-a-special parking-permit-to-be-issued-without-charge-and-the-permit thus-issued-shall-entitle-the-person-named-in-the-permit to-display-this-permit,-in-the-manner-prescribed-on-the card,-in-any-vehicle-being-used-to-transport-this-person and-such-permit-shall-entitle-this-person-to-leave-parked such-vehicle,-free-of-charge-and-overtime-in-any-parking meter-space-designated-one-hour-time-limit-or-longer-or overtime-in-any-non-metered-space-designated-one-hour time-limit-or-longer,-during-all-hours-when-it-is-other-wise-lawful-to-park-passenger-car-vehicles-in-the-space. In-metered-or-non-metered-space-designated-30-minute time-limit,-or-any-time-limit-on-more-than-30-minutes-but less-than-one-hour,-such-permit-shall-entitle-this-person to-park-in-such-space-for-a-period-not-to-exceed-two hours-during-all-hours-when-it-is-otherwise-lawful-to park-passenger-car-vehicles-in-the-space.--It-shall-be the-duty-of-the-bureau-of-traffic-engineering-to-prepare and-publish-such-instructions-as-are-deemed-necessary to-permittees-granted-a-permit-under-the-authority-of this-section-and-such-instructions,-if-published,-shall be-given-to-the-permittee-at-the-time-the-special-parking permit-is-issued.~~

16.20.110 Parking for disabled persons.  
Any person who qualified for "Disabled Person" status as  
prescribed in ORS 487.915 may apply to the Motor Vehicles  
Division of the Oregon State Department of Transportation  
for "Disabled Person" license plates or permit placard.

## Explanation

Persons may no longer apply to the bureau of traffic engineering as an alternative to applying to the state for disabled permits or plates. The city only honors the state issued permits or plates.

The revised version outlines the administrative procedures.

The section itself has been restructured to allow for ease of reference.

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The license plates or permit placard shall entitle the marked motor vehicle to be parked in the manner prescribed in section 16.20.160.

(a) A disabled person license plate replaces the standard license plate issued by the Motor Vehicles Division, and is to be mounted in the usual manner.

(b) The permit placard shall be displayed while the vehicle is parked by either hanging the placard from the inside rear view mirror or by placing it in the center of the windshield area either on the dashboard or propped against the windshield. The placard must be easily visible from both the curb side and street side. It may be used in any vehicle while transporting a disabled person.

(c) Disabled persons from other states either operating or riding in a marked motor vehicle displaying a permit or license plate issued by the corresponding authority of their state, are subject to the same privileges and restrictions imposed upon similar marked motor vehicles in Oregon.

## Code Changes

## Explanation

16.20.330 Fees for construction zone permits. Upon the issuance of a permit and the delivery of a construction zone hood to the permittee, or establishment of a construction zone by signs, said permittee shall pay to the city treasurer, credit Parking Meter Fund, 6600, ~~a fee of six dollars and fifty cents~~ a minimum fee of ten dollars for each week or portion thereof for each hood issued or each sign provided within the parking meter areas, as defined in Section 16.36.030, or ~~a fee of four dollars~~ a minimum fee of ten dollars for each week or portion thereof, for each sign provided outside the parking meter areas in the establishment of a construction zone.

The permittee shall be charged an additional five dollars for each hood which has to be picked up by city personnel.

16.20.430 Fees for taxicab zone permits.  
(the rest of this remains the same)

This change in title is only for clarification purposes.

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16.20.640 Authorization for truck loading zones. The bureau of traffic engineering is hereby authorized to designate, establish and maintain truck loading zones alongside the curb of any street in the city for the accommodation of commercial vehicles engaged in the transportation, loading and unloading of goods, wares or merchandise. The location of such zones shall be determined by the bureau of traffic engineering upon its ~~their~~ own initiative or upon request from adjacent property owner or occupant. The standard for determining the location and size of truck loading zones shall be the public welfare, with special consideration being given to the fact that ordinarily truck loading zones should be located at the far corner of an intersection (near corner of the block) a minimum of fifty feet from the corner of each intersection in the direction of travel, in order to facilitate traffic safety and parking and minimize while minimizing traffic hazards and damage to property. ~~parking meters, street signs, fire hydrants, etc., provided, that in case of a long block or special circumstances, one or more truck loading zones may be located elsewhere than at such corners, and~~ Consideration shall in all cases be given to the volume and nature of business within the block, the volume of normal traffic, the volume of normal parking, the width of surface of the street, the relation between the need for parking space for the loading and unloading of goods, wares, or merchandise, and the need for parking space for the general public, patrons and prospective patrons of the places of business within the block or area to be served, also the hours of day or night when loading or unloading of goods, wares or merchandise is necessary or most convenient.

The revision in this section reflects the current practice of placing truck loading zones away from corners to increase traffic safety and visibility.

## Code Changes

16.22.040 Saturdays, Sundays and Holidays. Unless otherwise specifically provided by sign or marking, the provisions of this title providing for tow away zones, shall not be applicable on Saturdays, Sundays or on the day on which the following national holidays are officially recongnized and honored by the city; New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas.

16.22.050 City parks, tow away. (New section added by Ord. No. 131333, passed and effective Aug. 13, 1970). ~~City parks, and parts thereof, while closed to the public are designated as tow-away zones.~~ Vehicles parked in a city park, while it is closed to the public, or vehicles parked in an area which has not been designated for parking by official signs or markings, may be towed.

## Explanation

This change is to better inform the public of the days in which towing restrictions do not apply.

This change is to alleviate parking problems which have been occuring while the park is open to the public.

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## Code Changes

## Explanation

16.24.050 Limitations on privilege of overtaking and passing.

(c) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any railway, light rail or interurban railway grade crossing nor at any intersection of streets, unless such movement can be made in safety. (ORS-483-308)

This change is to accommodate light rail transit system.

ORS 483.308 has been repealed

16.24.055 Diversion of traffic. Motorists must obey all temporary street or road closures established by the bureau of traffic engineering or the bureau of police.

This section was reworded and moved from 16.40.020 because it is more appropriate under 'Rules of the road'.

16.24.025 Operation of a moped and related vehicle regulations.

(1) No person shall:

(a) Operate a moped on a sidewalk.

(b) Except as provided in subsection (2) of this section, operate a moped on a bicycle trail.

(2) A person may operate a moped on a bicycle lane that is immediately adjacent to the roadway

(3) ~~No person shall operate a motor vehicle, except a moped as provided in the section above, upon a bicycle lane, except when:~~

(a) making a turn;

(b) entering or leaving an alley, private road or driveway;

(c) required in the course of official duty; or

(d) the vehicle is a farm vehicle (or implement of husbandry) as defined in 16.02.086, that momentarily crosses into the bicycle lane to permit other vehicles to overtake and pass.

(4) A person operating a motor vehicle, shall yield the right of way to a person operating a bicycle or moped upon a bicycle lane.

The addition of "moped" to the code is designed to clarify what such vehicles are, and the manner in which they are to be operated. Their small size and similarity to a bicycle had previously led to some confusion over their status. Since mopeds are motorized, they are to be included in the broad category of motorized vehicles. Persons operating a moped should generally obey the rules of the road pertaining to the operation of a motor vehicle.

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## Code Changes

## Explanation

16.24.065 Clinging to another vehicle.

No person riding upon or operating a moped, bicycle, coaster, skate board, roller skates, sled or toy vehicle shall cling to another vehicle upon a roadway, or attach that which another person is riding or operating to any other vehicle upon a roadway.

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## Code Changes

## Explanation

16.26.220 ~~Zones-of-quiet~~ Quiet zones.  
No person shall operate any ~~streetcar~~, bus,  
~~trolley-bus~~, light rail, or motor vehicle  
within a ~~sene-of-quiet quiet zone~~ as defined  
in this title in such a manner as to create  
any excessive or unnecessary noise. The driver  
of any such vehicle which because of heavy  
load or because of the nature of the load  
creates excessive noise shall, if practicable,  
avoid traveling upon any street or highway  
designated as a ~~sene-of-quiet~~ quiet zone. No  
person shall use the horn or other warning  
device upon of any such vehicle within such a  
~~sene-of-quiet quiet zone~~ unless ~~the-same-shall~~  
be it is necessary for the protection of life  
or property.

This section has been retitled to coincide  
with the wording on the signs that  
designate zones of quiet. Light rail is to  
replace streetcar and trolley bus as a  
mode of transit.

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## Code Changes

## Explanation

16.28.020 Required lighting equipment generally.

(a) Subject to the specific exceptions with respect to parked vehicles, lighted lamps and illuminating devices as specified in this chapter shall be displayed by:

(1) Every vehicle upon a street within this city at any time from ~~a-half-hour-after~~ sunset to ~~a-half-hour-before~~ sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles are not clearly discernable on such street at a distance of ~~five-hundred~~ one thousand feet ahead;

(2) Every motorcycle or moped upon a street within this city at all times.

(b) Whenever this chapter specifies:

(1) The distance from which lamps and devices shall render objects visible or within which lamps or devices shall be visible, such provisions shall apply during the times stated in subsection (a) of this section upon a straight, level unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated;

(2) The mounted height of lamps or devices, ~~it~~ means from the center of such lamp or device to the level ground upon which the vehicle stands.

(c) Every motor vehicle, trailer, semitrailer, and pole trailer shall be equipped with at least one tail lamp mounted on the rear which, when lighted as hereinafter required, shall emit a red light plainly visible from a distance of ~~five-hundred~~ one thousand feet to the rear.

(there are no further changes in this section)

16.28.040 Required head lights and bicycle equipment.

(a) Every motor vehicle other than a motorcycle or moped shall be equipped with at least two head lamps, at least one on each side of the front of the vehicle.

(b) Every motorcycle or moped shall be equipped with at least one and not more than two head lamps.

(there are no further changes in this section)

These changes allow this portion of the city code to be consistent with state code provisions.

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## Code Changes

## Explanation

### 16.28.250 Brakes.

(c) Every motorcycle or moped and-bicycle-with  
~~motor-attached~~, when operated upon a highway  
shall be provided with at least one brake, which  
may be operated by hand or foot.

The definition of moped includes 'bicycle  
with motor attached', and some larger cycles  
with motors.

(this is the only change in this section)

### 16.28.350. Headgear to be worn while on motor- cycles or mopeds.

(Amended by Ord. No. 133328, passed and effective  
Sept. 9, 1971.) (a) Except as provided in sub-  
section (b) of this section, it is unlawful for  
any person under 18 years of age to operate or  
ride a motorcycle or moped on a highway or street,  
unless he is wearing protective headgear of a  
type approved by the Motor Vehicles Division of  
the Oregon Department of Transportation under  
~~ORS-483-443.~~

This change reflects current state code  
provisions which do not require headgear  
if the driver or rider of a motorcycle  
or moped is 18 years of age or older.  
any ORS 483.443 has been repealed and should  
not be listed.

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## Code Changes

## Explanation

16.30.040 Height restrictions. No vehicle, including any load thereon, shall exceed a height of ~~thirteen-and-one-half~~ fourteen feet. This section does not relieve the owner or driver of any vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the streets where the vehicle or combination of vehicles is being operated.

This change is to reflect current state code provisions.

16.30.100 When pneumatic tires required. It is unlawful to operate any vehicle upon a street unless equipped with pneumatic tires except:

(1) Any farm equipment ( or implement of husbandry) equipped with solid tires, or metal tires not prohibited in Section 16.30.110, and having a gross vehicle weight not in excess of 7,000 pounds and a gross axle weight of any axle not in excess of 3,500 pounds;

This change is to coincide with changes made in 16.02 "Definitions".

(there are no further changes in this section)

16.36.030 Parking meter areas.

Parking meter areas may be established by a majority request at major business districts or commercial centers within the city limits. Parking meters subject to designated time limits as provided in Section 16.36.040 hereof are hereby authorized within the following encompassed area of the city: Beginning at the corner of the point where S.W. Harbor Drive crosses the Stadium Freeway; thence northerly on S.W. Harbor Drive to N.W. Glisan Street; thence westerly on N.W. Glisan to N.W. 3rd Avenue; thence northerly on N.W. 3rd Avenue to N.W. Hoyt Street; thence westerly on N.W. Hoyt Street to N.W. 5th Avenue; thence northerly on N.W. 5th Avenue to N.W. Irving Street; thence westerly on N.W. Irving Street to N.W. 6th Avenue; thence northerly on N.W. 6th Avenue to N.W. Johnson Street; thence westerly on N.W. Johnson Street to N.W. Broadway; thence southerly on N.W. Broadway to N.W. Hoyt Street; thence westerly on N.W. Hoyt Street to N.W. 10th Avenue; thence northerly on N.W. 10th Avenue to N.W. Irving Street; thence southerly on N.W. 10th to N.W. Hoyt Street; thence westerly on Hoyt Street to N.W. 14th Avenue; thence northerly on 14th Avenue to the Stadium Freeway; thence southerly along the Stadium Freeway to West Burnside; thence westerly on West Burnside to S.W. 20th Avenue; thence southerly on S.W. 20th Avenue to S.W. Salmon Street; thence easterly on S.W. Salmon Street to S.W. 14th Avenue; thence southerly along to S.W. Columbia Street; thence from the point where S.W. Columbia Street crosses the Stadium Freeway along the Stadium Freeway in a southeasterly direction to the point where S.W. Harbor Drive crosses the Stadium Freeway.

This change redefines the parking meter area as it is currently established.

(The old parking meter area should be entirely deleted)

## Code Changes

## Explanation

16.36.040 Time limit. The time limit for parking on streets and avenues of the city within the area designated for the installation of parking meters, and where such meters are actually installed, shall be fifteen minutes, ~~thirty-six minutes, one-hour, two hours, six hours, or additional time as determined by the traffic-engineer with the approval of the commissioner-in-charge-of-the-bureau-of-traffic-engineering, and as shown on the meter~~ city council.

The time changes reflect current meter limits. The city council now determines the allowed time limits for meters.

16.36.050 Fees. A parking meter fee shall be paid by all persons parking a motor vehicle within any metered space in the area designated in Section 16.36.030 in the amount indicated by a sign or legend to be installed on or adjacent to such meter. The sign or legend shall indicate the interval of time for which parking is permitted and the fee payable for each fifteen minutes, thirty-six minutes, two hours or ~~six hours; provided, however,~~

This section has been broken down into subsections to allow for ease of reading and reference.

The time changes reflect current meter limits.

(a) A parking meter space may be used without charge during all hours on Sundays, and on the day on which the following national holidays are officially recognized and honored by the city; New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day.

The additional language is to alleviate public confusion as to the days on which parking restrictions will not be enforced.

(b) Any parking meter space may, unless otherwise designated by sign or legend on or adjacent thereto, be occupied without payment between the hours of six p.m. and eight a.m.; provided, however, that such hours of free occupancy of parking meter space may from time to time be extended or restricted as to designated areas upon the order of the traffic engineer with the approval of the commissioner in charge of the bureau of traffic engineering.

(c) It is unlawful for any person subject to the provisions of this chapter to permit any motor vehicle in his control or custody to remain in any parking meter space longer than the time designated for such space by the depositing of an additional coin or coins in the parking meter.

(d) Commercial vehicles may use parking meter space for a maximum of thirty minutes on any one stop, while actually

## Code Changes

## Explanation

16.36.050 (con't)

engaged in loading or unloading merchandise or performing a service, without charge on any day between eight a.m. and ten-thirty a.m.

(e) Further exceptions to this section are noted for government vehicles in 16.36.055, for "disabled persons" in 16.20.110 and 16.20.160, for vehicles that have paid for valid carpool permits in 16.20.240, and for other official permits which have been issued under the provisions of chapter 16.20.

Section (e) has been added to allow for ease of reference to exceptions.

16.36.055 Government vehicles. Any government vehicle, so identified by public plates, may park without fee for only the maximum time limit allowable on a particular type of parking meter.

16.36.090 Fee exacted as a ~~police~~ police parking and traffic regulation.

The deposit of coins required under this title is levied as police parking and traffic regulation, supervision and inspection fees to cover the cost involved in the inspection, installation, operation, control and use of the parking meter spaces and parking meters described herein and involved in checking up and regulating the district created by this title, and in regulating and controlling the flow of traffic to and from the parking meter districts.

The new title more accurately defines this type of regulation.

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16.36.100 Impounding automobiles.  
In the event that any motor vehicle shall be found standing or parked in or upon any street or highway of the city in violation of ~~the~~ or contrary to any of the provisions of this title applicable to stopping, standing, or parking of vehicles, such motor vehicle shall be given a traffic tag, or be removed by the bureau of police or by the bureau of traffic engineering parking patrol and taken to ~~the municipal-garage-or~~ such other garage or storage area as may be designated by the traffic division of the bureau of police or the bureau of traffic engineering and there kept until the application for its redemption shall be made by the owner or his duly authorized agent. If the vehicle is not redeemed within thirty days, it will be disposed of as provided for in Chapter 16.04.

Both the bureau of police and the bureau of traffic engineering parking patrol enforce this section of the code, and impounded vehicles are no longer taken to the municipal garage.

16.36.110 Double parking prohibited.  
It is unlawful for the driver or owner of any motor vehicle to double park any motor vehicle, or permit the same to be parked, stand, or remain double parked ~~in-the-parking-meter district.~~ Within the city limits, for longer than 30 seconds.

This change is to enlarge the area of enforcement to problem areas outside the meter district.

16.36.120 Regulations for loading in parking meter districts.  
No person shall stand or park, or double park, a motor vehicle in a truck loading ~~zone-in-a-parking-meter-district~~ for the purpose of loading or unloading passengers for a period in excess of ~~one-minute thirty seconds after-the-hour of-ten-a.m.-of-any-day--Delivery-motor~~ Commercial vehicles using parking meter space shall after ten-thirty a.m. comply with each and all of the provisions of this title relating to the payment of the parking meter fee and the time of meter parking, subject to the provisions of Sections 16.20.180 - 16.20.250 810 relating to service permit cards. No stopping or parking for the purpose of loading or unloading shall be permitted in a tow away zone during the hours when stopping and parking is prohibited; provided, however, driver attended private passenger motor vehicles and taxicabs may stop for not to exceed thirty seconds in such tow away zone, for the sole purpose of loading or unloading passengers.

The thirty seconds allowed for loading, and the addition of commercial is to allow for uniformity with other sections of this title.

## Code Changes

16.36.130 Duties of the bureau of police and the bureau of traffic engineering parking patrol.

It shall be the duty of the bureau of police, and the bureau of traffic engineering parking patrol, by and through the designated traffic officers, to enforce the provisions of this title as to the parking of motor vehicles in-the-parking meter-district within the city limits.

## Explanation

Both the bureau of police and the bureau of traffic engineering parking patrol enforce this title of the code, and the areas included in their coverage extend beyond the parking meter district.

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16.40.011 Interference with parade prohibited. (Added by Ord. No. 131416 passed and effective Aug. 27, 1970.) It is unlawful for any person to interfere with a parade permitted under Section 16.40.010. The following acts are interferences prohibited by this section, when done with the intent to cause interference:

(1) Blocking, obstructing or impeding the passage of participants, vehicles or animals in the parade along the parade route;

(2) Walking, ~~or running~~ or driving a vehicle, or riding a bicycle or skateboard, through or between participants, vehicles or animals in the parade;

(there are no further changes in this section)

16.40.020 Diversion of traffic for a parade or procession.

(Amended by Ord. No. 134141 passed and effective Mar. 2, 1972.) ~~Whenever a street is in a dangerous condition or unfit for travel, the bureau of traffic engineering, department of public works, or any police officer shall have authority to divert the traffic from said street.~~ Whenever any parade is being held, the bureau of police shall have authority to clear the streets and prohibit motor vehicles, ~~street and interurban cars, busses, and trolley busses,~~ light rail, and pedestrians from crossing the streets, ~~or the parking, stopping, or standing of motor vehicles, busses, or trolley busses, thereon or the moving of traffic on such~~ street; and it is unlawful for the driver of any vehicle to refuse to comply with any order of a police officer given in compliance with this section.

The first sentence of this section has been moved to 16.24.055. The issue addressed by this regulation is more related to "Rules of the road" 16.24.

The changes made in the later portion of this section will accommodate light rail, and the excess language has been dropped.

## Code Changes

16.42.055 General provisions applicable to bicyclists. Every person riding a bicycle upon a roadway is subject to the provisions of this chapter and ORS chapters 483 and 487 applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application.

16.42.060 Bicycle lane prohibitions. (Added by Ord. No. 135263 passed Sept. 14, effective Oct. 16, 1972).  
(a) It is unlawful for the operator of a motor vehicle to drive that vehicle upon a bicycle lane, except:  
(1) In case of an emergency making it necessary to drive upon a bicycle lane; or  
(2) To enter or leave adjacent property.  
(b) Where parking on a bicycle lane is prohibited ~~or is restricted to certain hours by an official sign,~~ it is unlawful to park a motor vehicle on a bicycle lane in violation of that sign, except in case of an emergency that makes parking on a bicycle lane necessary.  
(c) ~~Where a bicycle lane is maintained adjacent to the right-hand side of a roadway in the direction a bicycle rider is traveling, it is unlawful to ride a bicycle on the roadway.~~

## Explanation

The additional sections in Chapter 42 are designed to clarify the rights and responsibilities of bicyclists.

To alleviate traffic problems which may arise between bicycles and motor vehicles, bicycle lanes along the side of roadways should not be blocked by parked vehicles.

The deletion of subsection (c) is to allow bicyclists to make proper left turns in accordance with 16.42.075.

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16.42.065 Riding bicycles upon roadways.

- 1) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the righthand curb or edge of the roadway except under any of the following situations:
  - (a) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
  - (b) When preparing for a left turn at an intersection or into a private road or driveway.
  - (c) When reasonable necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the righthand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- 2) On a one-way roadway within the city, a person operating a bicycle shall ride as near to either the right or left side of the roadway as practicable.
- 3) Persons riding bicycles upon a roadway or bike lane shall not ride more than two abreast. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

16.42.075 Bicyclists making left turns.

(a) A person riding a bicycle intending to turn left shall follow the standard left turn procedures as described in sections 16.18.010 and 16.18.020 or,

(b) A person riding a bicycle intending to turn left shall approach the turn as close as practicable to the right curb or edge of the roadway. After proceeding across the intersecting roadway, the turn shall be made as close as practicable to the curb or edge of the roadway on the far side of the intersection. After turning, the bicyclist shall comply with any official traffic control device or police officer regulating traffic on the highway along which he intends to proceed.

(c) No person shall turn a bicycle other than as directed and required by official traffic control devices or police officer.

16.42.090 Bicyclists on sidewalks required to warn pedestrians; careless bicycle operation on sidewalk prohibited.

(1) Any person operating a bicycle upon a sidewalk shall give an audible warning before overtaking and passing a pedestrian and shall yield the right of way to all pedestrians on the sidewalk.

(2) No person shall operate a bicycle on a sidewalk in a careless manner that endangers or would be likely to endanger any person or property.

(3) A person shall not ride a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, where such use of bicycles is prohibited by official traffic control devices.

16.42.095 Bicycles in metropolitan traffic district. No bicycle shall be ridden on any sidewalk in the metropolitan traffic district; except it shall be permissible to ride a bicycle on sidewalks in the following sections of the metropolitan traffic district:

(a) From the west property line of S.W. Front Avenue, easterly to the westerly harbor line of the Willamette River.

(b) On the ramps of the Steel, Burnside, Morrison and Hawthorne Bridges.

(c) In an area from the west property line of S.W. West Park Avenue, to the east property line of S.W. East Park Avenue; from the property line of S.W. Market Street, to the south property line of S.W. Salmon Street.

This measure is designed to protect both bicyclists and pedestrians in areas which have high pedestrian movement on the sidewalks.

16.42.100 Restrictions on bicycle parking.

Bicycles shall not be parked or left unattended in the following ways;

(1) Chained or otherwise securely attached to fire hydrants;

(2) blocking doorways;

(3) blocking the operation of newstands;

(4) obstructing crosswalks, handicapped ramps or driveways;

(5) or in such a manner so as to hinder safe pedestrian traffic on sidewalks.

Code Changes

Explanation

16.44.060 Hunting from or loaning a snowmobile.  
~~{e}-As-used-in-subsection-(b)-of-this-section-and~~  
~~Section-16.44.010-of-this-title,-"dangerous-drugs"~~  
~~means-any-drug-designated-a-dangerous-drug-by-the~~  
~~Drug-Advisory-Council-under-ORS-689.660.~~  
  
(there are no changes in subsection (a) or (b) of  
this section).

ORS 689.660 has been repealed, and there no longer  
is reference to the Drug Advisory Council, therefore,  
the entire subsection may be removed without  
consequence.

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## Code Changes

## Explanation

16.46.020 ~~Reconstruction of mass transit avenues--(New section substituted by Ord. No. 137703 passed Jan. 10, 1974, effective as noted above.)--The mass transit avenues designated in Section 16.46.010 shall be reconstructed to extend the existing sidewalks to accommodate mass transit passengers and sidewalk furniture and to reduce the number of traffic lanes on each mass transit avenue to no more than three lanes.~~

The reconstruction of mass transit avenues has been completed, and this section should be deleted.

16.46.045 Vehicles permitted in mass transit lanes during limited times.  
(c) (Added by Ord No. 141546 passed and effective Apr. 1, 1976.) ~~The traffic engineer shall deliver to the Tri-County Metropolitan Transportation District of Oregon a copy of any regulation or permit proposed to be issued under this section. If within 48 hours following receipt of the proposed regulation or permit, Tri-Met files with the traffic engineer written objection thereto, the proposed regulation or permit shall not become effective until the matter shall have been heard and determined by the council on appeal. If no such written objection is filed, the regulation or permit shall become effective upon the expiration of 48 hours from notice to Tri-Met, or at such earlier time as Tri-Met and the traffic engineer shall agree. In the event of appeal, the council shall determine whether adoption of the rule or issuance of the permit would result in interference with the efficient flow of mass transportation vehicles, and the council may order adoption, issuance, denial or modification of the regulation or permit.~~

The traffic engineer shall notify the Tri-

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## Code Changes

16.46.045 (con't)

County Metropolitan Transportation District of Oregon of any regulation or permit proposed to be issued under this section. The regulation or permit shall become effective when Tri-Met and the traffic engineer shall mutually agree. In the event of disagreement between Tri-Met and the traffic engineer, the council shall determine whether adoption of the rule or issuance of the permit would result in interference with the efficient flow of mass transportation vehicles, and may so order adoption, issuance, denial or modification of the regulation or permit.

## Explanation

The 48 hour provision is currently not used because situations arise which require decisions to be made with little or no prior notice. Matters pertaining to mass transit lanes are generally adequately handled between Tri-Met and the traffic engineer. In the event that a disagreement should arise, the revised section still stipulates that council shall have the final word on such matters.

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## 16.48.020 Definitions.

~~(e) -- "Taxicab" means any motor vehicle which carries passengers for hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of any combination of an initial fee, distance traveled, or waiting time. -- Any vehicle which is held out to be a taxicab or which has an appearance deceptively similar to a taxicab is a taxicab for the purposes of this chapter.~~

Taxicab. Taxicab means any motor vehicle which carries passengers for hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of an initial fee, distance traveled waiting time or any combination thereof, and which is duly licensed by the City of Portland as a taxicab.

# ORDINANCE No.

150808

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Printed by the CITY OF PORTLAND  
GEORGE KEMPONACH

NOV 30 1980

Passed by the Council, DEC 3 1980

Mayor Frank Ivancie  
Richard L. Grant/as  
November 26, 1980

Attest:

Chief Deputy

Auditor of the City of Portland

*Charles J. Spear*

4259  
Calendar No. ~~4260~~ :

## ORDINANCE No. 150808

### Title

An Ordinance amending Title 16, Vehicles and Traffic, of the City Code, updating the City Code, clarifying the language and modifying the fee structures for media and construction permits.

NOV 26 1980

PASSED TO SECOND READING DEC 3 1980

NOV 20 1980

Filed

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

*Gordon*  
Deputy

### THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Jordan	1	
Lindberg	1	
Schwab	1	
Ivancie	1	

### FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY

*Mayor Ivancie*

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Traffic Engineering

Prepared By:

Date:

Richard L. Grant

11/19/80

Budget Impact Review:

☒ Completed

☐ Not required

Bureau Head:

CALENDAR

Consent

Regular

NOTED BY

City Attorney

City Auditor

City Engineer