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Title: Amending Chapter 151, Traffic Code - General Provisions, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Kathy Lantry

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Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/28/2011	1	Mayor's Office	Signed	
9/28/2011	1	City Council	Adopted	Pass
9/21/2011	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
9/7/2011	1	City Council	Laid Over to Third Reading/Public Hearing	
8/24/2011	1	City Council	Laid Over to Second Reading	

Amending Chapter 151, Traffic Code - General Provisions, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Chapter 151 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 151.01. Short Title.

Chapters 151 through 453 169 shall be known as the "Traffic Code," and any such citation shall refer to said chapters.

Section 151.02. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this Traffic Code, or for the enforcement of the Highway Traffic Regulation Act, Chapter 169 of Minnesota Statutes, have the meanings indicated in this section.

Where terms are not defined in this section and are defined in the Highway Traffic Regulation Act, Chapter 169 of Minnesota Statutes, they shall have the meanings ascribed to them therein.

Where terms are not defined in this chapter or in Minnesota Statutes, Chapter 169, they shall have ascribed to them their ordinarily accepted meanings and/or such as the context herein may imply.

(1) *Owner*. A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this code.

If any vehicle unoccupied by a licensed driver is found upon a street or roadway in violation of any state or local parking restrictions or if any vehicle has been driven in violation of the speed restrictions of the Highway Traffic Regulation Act, Chapter 169 of Minnesota Statutes, then proof of the identity of the person in whose name such vehicle is registered pursuant to Chapter 168 of Minnesota Statutes may be sufficient evidence that such person was responsible for such violation, in the absence of probative contrary evidence and if the fact finder is so persuaded beyond a reasonable doubt. The registered owner of such vehicle, if not the person responsible for such violation, shall upon request inform the fact finder, the city attorney or the police of the identity of the person responsible for such violation, if known.

(2) *Street or highway*. The entire width between property lines of ~~every~~ any way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic. The terms "street" and "highway" are used interchangeably herein.

(3) *Park*. The standing of a vehicle upon the street, whether accompanied or unaccompanied by the operator of the vehicle.

(4) *State manual and specifications*. The *Manual on Uniform Traffic Control Devices for Streets and Highways, State of Minnesota*.

(5) *Congested district*. As used in this Traffic Code, the congested district shall include all that portion of the City of Saint Paul lying within and bounded by the following streets: Beginning at the intersection of Grand Avenue with West Seventh Street, with thence along Grand Avenue to Pleasant Avenue, Hwy 35E, Hwy 35E to West Sixth Street Kellogg Boulevard, West Sixth Street Kellogg Boulevard to Main Avenue John Ireland Boulevard, Main Avenue John Ireland Boulevard to West Tenth Rice Street, West Tenth Rice Street to Wabasha Street University Avenue, Wabasha Street University Avenue to Eighth Street Hwy 35E, Eighth Street Hwy 35E to Broadway I-94, Broadway I-94 to Kellogg Boulevard Lafayette Road, Lafayette Road to West Seventh Street Warner Road, Warner Road to Shepard Road, Shepard Road to Eagle/Chestnut, Eagle/Chestnut to Exchange Street, Exchange Street to Sherman Street, Sherman Street to Grand Avenue thence west northwesterly on Grand Avenue on West Seventh Street to its intersection with Grand Avenue West Seventh Street.

(6) *Commercial vehicle* shall include any bus or commercial truck, as herein defined, [or] any vehicle designed or modified to serve purposes other than the transportation of persons or as licensed under Chapter 158. A commercial vehicle shall not include public utility vehicles, authorized emergency vehicles and/or those vehicles currently owned and operated by federal, state and local governmental subdivisions.

(7) *Bus* means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation. The term "bus" does not include a vehicle designed for carrying more than ten (10) passengers but not more than fourteen (14) passengers and operated for the personal or family use of the owner or operator.

(8) *Commercial truck* shall include a motor vehicle designed and registered as a truck and licensed under the motor carrier laws of the State of Minnesota for the transportation of property but not persons, or a motor vehicle designed and registered as a truck and used exclusively in the transportation of property in commerce but not for the transportation of persons at any time. A commercial truck shall not include station-wagon-type vehicles, utility class vehicles, pickup trucks, any vehicle in which the cargo space is enlarged by the removal

or folding down of seats, vans with more seats than for a driver and helper or any vehicle originally designed as a passenger-type vehicle.

(9) *Overweight vehicle.* Any vehicle, with or without load, which weighs more than six thousand (6,000) pounds or is registered for a gross weight of more than nine thousand (9,000) pounds or is greater than twenty-two (22) feet in length and/or seven and one-half (7 1/2) feet in height. This definition includes but is not limited to semi-trailers, tow trucks, buses, limousines, tractors, construction equipment or similar vehicles. This definition excludes licensed, operable recreational vehicles (RV's).

(10) *Safety zone* means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

(6 11) *Traffic and accident section.* The traffic and accident section of the department of police and all police officers assigned to traffic functions.

(7 12) *Traffic engineer.* The so designated head of the traffic engineering bureau function of the department of public works, acting within and subject to the administrative framework directed by the director of the department of public works in all matters described hereinafter, and shall include all subordinates of said traffic engineer, employed by the City of Saint Paul, acting pursuant to instruction from or at the direction of said traffic engineer.

(8 13) *Director of public works.* The designated head of the department of public works of the City of Saint Paul, and any subordinate employees of said department, acting pursuant to instructions or directions of said director.

(9 14) *Police chief.* The chief of police of the City of Saint Paul, and any subordinate employees of the department of police, acting pursuant to instructions or directions of said police chief.
(Code 1956, § 130.02; Ord. No. 17711, § 1, 2-6-90)

Sec. 151.03. Violation a petty misdemeanor.

It shall be unlawful and, unless otherwise declared in the Traffic Code with respect to particular offenses, it shall be a petty misdemeanor for any person to do any act forbidden or fail to perform any act required in the Traffic Code.
(Code 1956, § 130.03)

Sec. 151.04. School police.

(a) The chief of police shall appoint special policeman police officers who shall be designated as school police and serve without compensation. The school police shall be appointed from the student bodies of public and private schools of the City of Saint Paul. The chief of police may also appoint adult crossing guards as special policeman police officers as may be designated or employed by any local school district or authority upon their request. Said school police and adult crossing guards, hereinafter referred to as "school police," shall be equipped with badges marked "School Police," and are hereby authorized to regulate traffic of all kinds upon the streets of the City of Saint Paul. Said school police shall be subordinate to and shall obey all the orders of any police officer of the City of Saint Paul.

(b) No driver of any vehicle shall fail to stop his vehicle when directed to do so by any school police officer and no driver of any vehicle shall again place such vehicle in motion until directed to do so by such school police officer.
(Code 1956, § 130.05)

Sec. 151.05. Applicability.

(a) *Government vehicles.* The provisions of the Traffic Code applicable to the drivers of vehicles upon the

highways shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in the Traffic Code with reference to authorized emergency vehicles.

(b) *Roadway work.* The provisions of the Traffic Code shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the roadway of a highway but shall apply to such persons and vehicles when traveling to or from such work.

(c) *Bicycles, animals and animal-drawn vehicles.* Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of the Traffic Code applicable to the driver of a vehicle, except those provisions which by their nature can have no application.
(Code 1956, §§ 130.06, 130.07)

Sec. 151.06. Private property owners.

Nothing in the Traffic Code shall be construed to prevent the private property owners of real property used by the public for the purposes of vehicular traffic by permission of the owner and not as a matter of right from prohibiting such use, or from requiring other, or different or additional conditions than those specified in the Traffic Code, or otherwise regulating e such use vehicular traffic on their property as may seem best to such owner.

(Code 1956, § 130.08)

Section 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.