

CHAPTER 12-5 OPERATION OF VEHICLES GENERALLY

12-5-1

STARTING

A standing vehicle about to start shall give all moving vehicles the right of way.

Legislative History:
Ordinance No 5., Article V,
§76, 3/11/74.

Authority:
SDCL Ch. 9-31 generally.

12-5-2

DRIVE ON RIGHT SIDE OF STREET - GENERALLY

Upon all streets except upon one-way streets, the operator of a vehicle shall drive the same upon the right half of the street and shall drive a slow moving vehicle as closely as possible to the right-hand edge or curb of a street unless it is impracticable to travel on such side of the street, and except when overtaking and passing another vehicle subject to the limitations applicable to overtaking and passing set forth in this title.

The foregoing provisions of this section shall not be deemed to prevent the marking of lanes for traffic upon any street and the allocation of designated lanes to traffic moving in a particular direction or at designated speeds.

Legislative History:
Ordinance No 5., Article V,
§77, 3/11/74.

Authority:
SDCL Ch. 9-31 generally;
See Also SDCL § 32-26-1.

12-5-3

SAME AT INTERSECTIONS

In crossing an intersection of highways or the intersection of a highway by a railroad right-of-way, except upon a one-way street, the operator of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is obstructed or impassable.

Legislative History:
Ordinance No 5., Article V,
§78, 3/11/74.

Authority:
SDCL Ch. 9-31 generally;
See Also SDCL § 32-26-2.

12-5-4

MEETING OF VEHICLES

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Legislative History:
Ordinance No 5., Article V,
§79, 3/11/74.

Authority:
SDCL Ch. 9-31 generally;
See Also SDCL § 32-26-3.

12-5-5

DRIVING ON ROADWAYS LANES FOR TRAFFIC

Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply.

Legislative History:
Ordinance No 5., Article V,

Authority:
SDCL Ch. 9-31 generally; See

§80, 3/11/74.

Also SDCL § 32-26-5, as well
as §§ 32-26-6 to 32-26-10.

12-5-6

DESIGNATION OF TRAFFIC LANES

The City Council is hereby authorized to mark lanes for traffic on street pavements at such places as may be deemed advisable, consistent with the provisions of this title.

Legislative History:
Ordinance No 5., Article V,
§81, 3/11/74.

Authority:
SDCL Ch. 9-31 generally.

12-5-7

DRIVING ON LEFT OF OTHER VEHICLES

It shall be unlawful for any driver or operator of a motor vehicle to drive or operate his vehicle on the left-hand side of another motor vehicle moving in the same direction in a single traffic lane, unless the driver or operator on the left is in the process of passing or overtaking another motor vehicle.

Legislative History:
Ordinance No 5., Article V,
§82, 3/11/74.

Authority:
SDCL Ch. 9-31 generally.

12-5-8

DRIVING ON LEFT AT INTERSECTIONS

No vehicle shall be driven on the left side of the roadway when approaching within one hundred (100) feet of or traversing any intersection or railroad crossing, or when the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel.

Legislative History:
Ordinance No 5., Article V,
§83, 3/11/74.

Authority:
SDCL Ch. 9-31 generally.

12-5-9

DRIVING ON LEFT AT CURVES

No vehicle shall be driven on the left side of the roadway when approaching or upon the crest of a grade or a curb in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

Legislative History:
Ordinance No 5., Article V, §84, 3/11/74.

Authority:
SDCL Ch. 9-36.

12-5-10

OVERTAKING: GENERALLY

The operator of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, but only when such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety and shall not cut in front of the overtaken vehicle until safely clear of same.

Legislative History:
Ordinance No 5., Article V, §85, 3/11/74.

Authority:
SDCL § 32-26-26.

12-5-11

OVERTAKING: WHEN VISION IS OBSTRUCTED

The operator of a vehicle shall not drive to the left side of a center line of the traversable roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

Legislative History:
Ordinance No 5., Article V,
§86, 3/11/74.

Authority:
SDCL § 32-26-34; See Also
Ch. 9-31 generally.

12-5-12

OVERTAKING AND PASSING ON THE RIGHT: CIRCUMSTANCES UNDER WHICH THIS IS PERMITTED:

The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

- A. When the vehicle overtaken is making or about to make a left turn;
- B. Upon a street or highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction;
- C. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, when the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

Legislative History:
1990 Revisions.

Authority:
SDCL § 32-26-27; See Also
Ch. 9-31 generally.

12-5-13

PASSING ON THE RIGHT: DRIVING OFF PAVEMENT PROHIBITED

The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event may such movement be made by driving off the pavement or main traveled portion of the roadway. A violation of this section is a petty offense.

Legislative History:
1990 Revisions.

Authority:
SDCL § 32-26-28; See Also
Ch. 9-31 generally.

12-5-14

DUTY OF OVERTAKEN OPERATOR

The operator of a vehicle on a street shall not deviate from his direct line of travel without ascertaining that such movement can be made with safety to other vehicles approaching from the rear and about to overtake and pass such first mentioned vehicle.

The operator of a vehicle upon a street about to be overtaken and passed by another vehicle approaching from the rear shall give way consistent with safety upon suitable and audible signal being given by the operator of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Legislative History:
Ordinance No 5., Article V,
§88, 3/11/74.

Authority:
SDCL § 32-26-31; See
Also Ch. 9-31 generally.

12-5-15

DYNAMIC BRAKING OR AIR-BRAKING PROHIBITED

(a) **Defined.** Dynamic braking device (commonly referred to as Jacobs Brakes) means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

(b) **Prohibited.** Operating any motor vehicle with a dynamic braking device engaged except for the aversion of imminent danger shall be prohibited within the territorial jurisdiction of the City of Brandon.

(c) **Public emergency response vehicles exception.** Any public emergency response vehicle equipped with a dynamic braking device will be allowed to use such device during a response to an emergency situation.

Legislative History:
Ordinance No. 463, 11//3/09

Authority:
SDCL 32-30