

CHAPTER 65

STOP OR YIELD REQUIRED

65.01 Stop or Yield

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65.01 STOP OR YIELD. Every driver of a vehicle shall stop or yield as directed by traffic control devices posted in accordance with Chapter 61 of this Traffic Code.

65.02 SCHOOL STOPS. At any school crossing zone, every driver of a vehicle approaching said zone shall bring the vehicle to a full stop at a point ten (10) feet from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until the vehicle shall have passed through such school crossing zone.

(Code of Iowa, Sec. 321.249)

65.03 STOP BEFORE CROSSING SIDEWALK. The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter shall proceed into the sidewalk area only when able to do so without danger to pedestrian traffic and shall yield the right-of-way to any vehicular traffic on the street into which the vehicle is entering.

(Code of Iowa, Sec. 321.353)

65.04 STOP WHEN TRAFFIC IS OBSTRUCTED. Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle.

65.05 YIELD TO PEDESTRIANS IN CROSSWALKS. Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

(Code of Iowa, Sec. 321.327)

65.06 YIELDING THE RIGHT-OF-WAY TO SCHOOL CROSSING GUARDS.

1. The driver of a vehicle shall yield the right-of-way, by stopping, whenever a school crossing guard is present within any marked crosswalk or within any unmarked crosswalk at an intersection and shall not proceed until the school crossing guard has taken down his or her handheld stop sign and has exited the traveled portion of the right-of-way.

2. Any school crossing guard who observes a violation of subsection 1 above, may prepare a written report on a form provided by the Marion Police Department

indicating that a violation has occurred. The school crossing guard or a school official may deliver the report not more than seventy-two hours after the violation occurred to a peace officer of the City of Marion. The report shall state the time and location at which the violation occurred and shall include the registration plate number and a description of the vehicle involved in the violation.

3. Not more than seven calendar days after receiving a report of a violation of subsection 1 above, the peace officer shall initiate an investigation of the reported violation and contact the owner of the motor vehicle involved in the reported violation and request that the owner supply information identifying the driver in accordance with Section 321.484 of the Iowa Code.

A. If from the investigation, the peace officer is able to identify the driver and has reasonable cause to believe a violation of subsection 1 above, has occurred, the peace officer shall prepare a uniform traffic citation for the violation and shall serve it personally or by certified mail to the driver of the vehicle.

B. If, from the investigation, the peace officer has reasonable cause to believe that a violation of subsection 1 above occurred, but is unable to identify the driver, the peace officer shall serve a uniform traffic citation for the violation to the owner of the motor vehicle. Notwithstanding Section 321.484 of the Iowa Code, in a proceeding where the peace officer who conducted the investigation was not able to identify the driver of the motor vehicle, proof that the motor vehicle described in the uniform traffic citation was used to commit the violation of subsection 1 above, together with proof that the defendant named in the citation was the owner of the motor vehicle at the time of the violation occurred, constitutes a permissible inference that the owner was the driver who committed the violation.

C. For the purpose of this section “owner” has the same meaning as the same term is defined in Section 321.372A of the Iowa Code. For the purpose of this section “school crossing guard” means any person hired by or volunteering for a school district to assist pupils of said school district in safely crossing any street.

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