

TOWN OF NEEDHAM

TRAFFIC RULES AND REGULATIONS

The following vote was duly passed:

The Board of Selectmen of the Town of Needham, acting by virtue of the power given to it by Section 22 of Chapter 40 of the General Laws of Massachusetts and by virtue of any other power it hereto enabling, hereby adopts and makes the rules and orders for the regulation of carriages and vehicles used in the said Town for regulating traffic upon the streets and highways of said Town of Needham; insofar as the said rules and orders or any of them are the same as the regulations, rules and orders now in force they shall be deemed to be a continuation thereof.

ARTICLE I

SECTION 1-1: Definitions

For the purpose of these rules and regulations, the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

SECTION 1-2: Bus Stop

An area in the roadway set aside for the boarding of or alighting from and the parking of buses.

SECTION 1-3: Crosswalk

That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface or by other marking or signs.

SECTION 1-4: Curb Marking, Official

That portion of a curbing, the painting of which has been authorized by the Board of Selectmen, and which has the written approval of the Commonwealth of Massachusetts Department of Transportation..

SECTION 1-5: Emergency Vehicle

Vehicles of the Fire Department, police vehicles, ambulances and emergency vehicles of Federal, State and municipal departments or public service corporations when the latter are responding to an emergency in relation to the Police or Fire Department.

SECTION 1-6: Funeral

Any procession of mourners properly identified as such accompanying the remains of a human body.

SECTION 1-7: Intersection

The area embraced within the extensions of the lateral curb lines or, if none, then the lateral boundary lines, of intersecting ways as defined in Section 1 of Chapter 90 of the General Laws, including divided ways.

The rules and regulations herein contained governing and restricting the movement of vehicles at and near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signals whether or not such place is an intersection as herein defined.

SECTION 1-8: Lane

A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.

SECTION 1-9: Officer

Any officer of the Needham Police Department or any officer authorized to direct or regulate traffic or to make arrests for the violation of traffic regulations.

SECTION 1-10: Parking

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to an officer or traffic signs or signals, or while making emergency repairs or, if disabled, while arrangements are being made to move such vehicle.

SECTION 1-11: Pedestrian

Any person afoot or riding on a conveyance moved by human muscular power, except bicycles or tricycles, as defined in Chapter 90, Section 18A of the General Laws.

SECTION 1-12: Railroad Crossing

Any intersection of ways with a railroad right-of-way.

SECTION 1-13: Roadway

That portion of a street or highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.

SECTION 1-14: Rotary Traffic

The counter clockwise operation of a vehicle around an object or structure.

SECTION 1-15: Safety Zone

Any area or space set aside within a roadway for the exclusive use of pedestrian and which has been indicated by signs, lines or markings, having the written approval of the Commonwealth of Massachusetts Department of Transportation.

SECTION 1-16: Service Zone

An area in the roadway set aside for the accommodation of commercial and transient vehicular traffic.

SECTION 1-17: Street or Highway

The entire width between property lines of every public and private way open to the use of the public for the purposes of travel, including those ways under the jurisdiction of the Board of Selectmen, the Park and Recreation Commission, the Conservation Commission, School Committee, the Needham Housing Authority and the Massachusetts Bay Transportation Authority (MBTA).

SECTION 1-18: Street Marking, Official

Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Board of Selectmen and which has the written approval of the Commonwealth of Massachusetts Department of Transportation.

SECTION 1-19: Taxicab Stands

An area in the roadway in which certain taxicabs are authorized and required to park while waiting to be engaged.

SECTION 1-20: Traffic

Pedestrians, ridden or herded animals, vehicles or other conveyances either singly or together while using any street or highway for the purpose of travel.

SECTION 1-21: Traffic Control Area

Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic control signals.

SECTION 1-22: Traffic Control Signal

Any device using colored lights which conforms to the standards as prescribed by the Commonwealth of Massachusetts Department of Transportation, whether manually, electrically or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

SECTION 1-23: Traffic Island

Any area or space set aside within a roadway, which is not intended for use by vehicular traffic.

SECTION 1-24: Traffic Signs, Official

All signs, markings and devices, other than signals, not inconsistent with these rules and orders, and which conform to the standards prescribed by the Commonwealth of Massachusetts Department of Transportation and placed or erected by authority of the public body or official having jurisdiction for the purpose of guiding, directing, warning, or regulating traffic.

SECTION 1-25: Traffic Signals, Official

All signals, conforming to the standards as prescribed by the Commonwealth of Massachusetts Department of Transportation, not inconsistent with these rules and orders, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing or warning traffic.

SECTION 1-26: U-Turn

The turning of a vehicle by means of a continuous turn whereby the direction of such vehicle is reversed.

SECTION 1-27: Vehicle

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles when the provisions of these rules are applicable to them, except other devices moved by human power or used exclusively upon stationary rails or tracks and devices which derive their power for operation from stationary overhead wires.

SECTION 1-28: Vehicle, Commercial

Any vehicle being used in the transportation of goods, wares or merchandise for commercial purposes.

SECTION 1-29: Vehicle, Heavy Commercial

Any commercial vehicle of over two and one-half (2 ½) ton capacity.

SECTION 1-30: Person

The word "person" shall mean and include any individual, firm, co-partnership, association or corporation.

SECTION 1-31: Parking Lots

Municipal parking lots and parking lots under the jurisdiction of any agency of the Town of Needham, including the Board of Selectmen, the Park and Recreation Commission, School Committee, Conservation Commission, the Needham Housing Authority, and the Massachusetts Bay Transportation Authority (MBTA).

SECTION 1-32: Parking Meter

The words “parking meter” shall mean any mechanical or electronic device, not inconsistent with the provisions of this regulation, and placed or erected on any public way or municipal off-street parking area within the Town of Needham for the regulation of parking. Each parking meter installed shall indicate by proper legend the legal parking time established by this regulation and when operated shall at all times indicate the balance of legal parking time permitted and at the expiration of such period shall indicate illegal or overtime parking.

SECTION 1-33: Parking Meter Zone

The words “parking meter zone” shall mean and include any street or portion thereof or municipal off-street parking area upon which parking of vehicles is permitted for a limited time subject to compliance with the further provisions of this regulation.

SECTION 1-34: Parking Meter Space

The words “parking meter space” shall mean any space within a parking meter zone, adjacent to a parking meter which is duly designated for the parking of a single vehicle by lines painted on the surface of the street or municipal off-street parking area adjacent to or adjoining each parking meter.

SECTION 1-35: Berm

The area typically located between the sidewalk and the edge of the roadway pavement. This is usually grassed.

SECTION 1-36: Traffic Committee

A committee comprised of the Chief of Police, the Director of Public Works and the Parking Clerk or their designees.

SECTION 1-37: School Zone

An area in the roadway which is posted and marked in accordance with the standards prescribed by the Department of Public Works, Commonwealth of Massachusetts, and these regulations to indicate the applicability of the statutory speed limit of twenty (20) miles per hour for all vehicles within the zone.

ARTICLE II

AUTHORITY AND DUTIES OF POLICE

SECTION 2-1: Traffic, Police to Direct

It shall be the duty of officers designated by the Chief of Police to enforce the provisions of these rules and regulations. Such officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of these rules and regulations provided that in the event of a fire or other emergency, to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic as conditions may require, notwithstanding the provisions of these rules and regulations.

SECTION 2-2: Close Street, Police May Temporarily

The Chief of Police is hereby authorized to close temporarily any street or highway in an impending or existing emergency, or for any lawful assemblage, purpose, demonstration or procession.

SECTION 2-3: Parking, Police May Allow or Prohibit Temporarily

The Chief of Police or his designee is hereby authorized to allow or prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency, or for a lawful assemblage, purpose, demonstration or procession. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer.

SECTION 2-4: Exemptions

The provisions of these rules and regulations shall not apply to drivers actually engaged in work upon a street or highway closed to travel or under construction or repair, to officers when engaged in the performance of public duties nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties when the nature of the work of any of these necessitate a departure from any part of these rules and regulations. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others.

ARTICLE III

TRAFFIC SIGNS, SIGNALS, MARKINGS AND ZONES

SECTION 3-1: Bus Stops, Taxicab Stands and Service Zones, Location of

The location of all bus stops, taxicab stands and service zones shall be specified by the Board of Selectmen and in the case of taxicab stands, the Chief of Police with the approval of the Board of Selectmen shall designate who may use them as such.

SECTION 3-2: Interference with Signs, Signals and Markings Prohibited

Any person who willfully defaces, injures, moves, obstructs or interferes with any official traffic sign, signal or marking shall be liable to a penalty not exceeding fifty (\$50) dollars for each and every offense.

SECTION 3-3: Obedience to Traffic Signs, Signals and Markings

No driver of any vehicle shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend unless otherwise directed by a police officer.

SECTION 3-4: Traffic Signs and Signals

- a. The Director of Public Works is hereby authorized, and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals markings and safety zones shall conform to the standards as prescribed by the Commonwealth of Massachusetts Department of Transportation.
- b. Sections 2-2 and 2-3 of Article II and Section 5-2, 5-5, and 5-7 to 5-10 inclusive of Article V relating to parking and Sections 7-7 and 7-10 of Article VII concerning turning movements and Section 7-20 of Article VII pertaining to exclusion shall be effective only during such time as official signs are erected and maintained in each block designating the provisions of such sections and located so as to be easily visible to approaching drivers.
- c. Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at the entrance and each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

SECTION 3-5: Signals, Signals and Markings Prohibited, Display of Unauthorized

No person or corporation shall place, maintain or display upon or in view of any street any unofficial device, sign, signal, curb marking or street marking which purports to be or is an imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or which attempts to direct the movement of traffic or which hides from view any official sign, signal, marking or device. The Chief of Police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice.

SECTION 3-6: Experimental Regulation

For the purpose of trial, the Board of Selectmen may make temporary rules regulating traffic or test under actual conditions traffic signs, markings, or other devices. No such experimental rules relating to traffic shall remain in effect for a period longer than thirty (30) days.

SECTION 3-7: School Zones, Location of

The speed of all vehicles shall be restricted to a maximum speed of twenty (20) miles per hour within an area designated as a school zone during the hours indicated, in accordance with a Schedule of Streets designated as Schedule No. XIV, hereto appended to which reference is made and which Schedule No. XIV is specifically incorporated in this section.

ARTICLE IV

ZONE OF QUIET

SECTION 4-1: Zone of Quiet

The Chief of Police, or his designee, may temporarily establish a zone of quiet upon any street where a person is seriously ill. Said temporary zone of quiet shall embrace all territory within a radius of two hundred (200) feet of the building occupied by the sick person. Said temporary zones of quiet shall be designated by the Chief of Police by causing to be placed at a conspicuous place in the street a sign or marker bearing the words "ZONE OF QUIET".

ARTICLE V

STOPPING, STANDING, PARKING

SECTION 5-1: General Prohibitions

No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street, way, highway, road or municipal parking lot under the control of the Town of Needham in violation of any of the Traffic Rules or Regulations adopted by the Board of Selectmen and in particular in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal.

- a. Within an intersection "except within those intersections where the installation of parking meters has been specifically approved by the Commonwealth of Massachusetts Department of Transportation".
- b. Upon any sidewalk or berm.
- c. Upon any crosswalk.
- d. Upon the roadway in a rural or sparsely settled district.
- e. Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway, except upon those streets which are designated one-way streets. On such one-way streets vehicles shall be parked in the direction in which said vehicle is moving and with both wheels within twelve (12) inches of the curb.

Section 5-1 – General Prohibitions (cont.)

- f. Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
- g. Upon any street or highway within ten (10) feet of a fire hydrant.
- h. In front of any private road or driveway.
- i. Upon any street or highway within twenty (20) feet of an intersecting way, except alleys.
- j. Within fifteen (15) feet of the wall of a fire station or directly across the street from such fire station provided signs are erected acquainting the driver of such restriction.
- k. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- l. Within twenty-five (25) feet of the nearest rail of a railroad crossing when there are no gates at such crossing, or otherwise within five (5) feet from the gate.
- m. On a bridge and the approach thereto.
- n. Upon any way within (5) feet of a driveway.

SECTION 5-2: Service Zones

No person shall park a vehicle upon any street in any service zone for a period of time longer than thirty (30) minutes and except while actually engaged in loading or unloading.

SECTION 5-3: Parking Vehicle for Sale Prohibited

It shall be unlawful for any person to park upon a street or highway any vehicle displayed for sale.

SECTION 5-4: No All Night Parking

No person shall allow, permit or suffer any vehicle registered in his/her name, other than one acting in an emergency to be parked on any street for a period of time longer than one (1) hour between the hours of 1:00 a.m. and 6:00 a.m.

Permanent and Temporary Waivers. The traffic Committee (as established under Section 1-36 of these regulations) may, by permit, permanently waive this requirement under guidelines developed by the Committee and approved by the Board of Selectmen. The Chief of Police or his/her designee may temporarily waive this regulation under extraordinary circumstances if a demonstrated “hardship” condition exists. The temporary waiver of this regulation shall meet the following criteria:

Section 5-4 – No All Night Parking (Cont.)

1. Temporary: A waiver not to exceed seven days unless approved in advance by the Chief of Police or his/her designee. No more than three waivers per household may be granted per calendar year.
2. Hardship: A situation where it is impractical to park vehicles off the public roadway. Reasons may include, but not be limited to:
 - a. Driveway being resurfaced;
 - b. Need to park construction equipment, that is being used in conjunction with work on the property, in the driveway;
 - c. Off-street parking not sufficient to accommodate overnight guests.
3. Limitations:
 - a. Temporary waivers shall be limited to those vehicles with non-commercial plates (i.e. passenger vehicles only) unless otherwise approved by the Chief of Police or designee.
 - b. Only those vehicles that cannot otherwise park off-street shall be allowed to park on the public roadway overnight.
 - c. Individuals receiving temporary waivers shall be required to park in front of their own property unless given permission by the Police Department to park elsewhere.

The provisions of this section shall be enforced by the Needham Police Department.

Appeals:

Denials of permanent waivers by the Traffic Committee shall be forwarded to the Town Administrator's Office.

Denials of temporary waivers by a Police Officer shall be forwarded to the Officer in charge of the shift at the time of the denial (if immediate action is required) or to the Town's Parking Clerk, if time permits.

SECTION 5-5: All Day Parking

In those streets upon which there has been placed a prohibition of all day parking, no person shall allow, permit or suffer any vehicle registered in his name, other than one acting in an emergency, to be parked on such street for a period of time longer than two (2) hours between the hours of 8:30 a.m. and 5:00 p.m.

SECTION 5-6: Parking Location and Prohibitions

Parking is prohibited, restricted or limited as to time, space, streets and municipal parking lots in accordance with a schedule of location designated as Schedule No. I, hereto appended to which reference is made and which Schedule No. I, is specifically incorporated in this section. No operator shall park a

vehicle in the designated prohibited locations or in the restricted locations without a permit or for a period longer than is designated as set forth in Schedule No. I.

SECTION 5-7.1 Parking Meter Locations and Regulations

Parking is restricted or limited as to time, space, streets and municipal off-street parking areas on the streets and municipal off-street parking areas designated as Schedule I-A hereto appended to which reference is made and which Schedule I-A is specifically incorporated in this Section. No person shall park a vehicle for a period of time longer than one (1) hour between the hours of 8:00 a.m. and 6:00 p.m. on any of the streets, except as otherwise designated in Schedule I-A, or for a period of time longer than two (2) hours in any municipal off-street parking area hereinafter designated in Schedule I-A, unless otherwise designated in Schedule I-A, or as may hereafter be fixed by amendment, except that on Friday the limited parking time shall apply between the hours of 8:00 a.m. and 9:00 p.m. This restriction shall not apply on Sundays or during the hours of legal holidays during which business establishments are required by law to remain closed.

In accordance with the foregoing parking meter zones are hereby established in the streets, parts of streets or municipal off-street parking areas listed in Schedule I-A.

SECTION 5-7.2:

The Director of Public Works is hereby empowered, with the approval of the Board of Selectmen, to contract, in accordance with provisions of Chapter 40 of the General Laws, for the acquisition and installation of parking meters provided for by this regulation and to maintain said meters in good workable condition.

SECTION 5-7.3

The Director of Public Works is hereby authorized and directed to install parking meters within the areas described in this regulation or cause the same to be so installed. The meters shall be placed at intervals of not less than twenty (20) feet apart except that beginning and ending spaces may be eighteen (18) feet and except where angle parking is permitted, and not less than twelve (12) inches nor more than twenty-four (24) inches from the face of the curb adjacent to individual meter spaces. Meters shall be so constructed as to display a signal showing legal parking upon the deposit therein of the proper coin or coins of the United States as indicated by instructions on said meters and for such period of time as is or shall be indicated by meter legend. Said signal shall remain in evidence until expiration of the parking period designated at which time a dropping of a signal automatically or some other mechanical or electronic operation shall indicate expiration of said parking period.

SECTION 5-7.4

The Director of Public Works is hereby authorized and directed to establish parking meter spaces in such parking meter zones as are herein specified, or as may be hereafter fixed by amendment and to indicate the same by white markings upon the surface of the highway, or parking lot.

SECTION 5-7.5

Whenever any vehicle shall be parked adjacent to a parking meter, the owner or operator of said vehicle shall park within the space designated by pavement marking lines and, upon entering such space, shall immediately deposit in said meter the required coin of the United States for a maximum legal parking period or proportionate period thereof, both as indicated or shown on the meter and if so required set the mechanism in motion.

The fee for the maximum parking time in on-street parking meter zones shall be as indicated upon the meter.

The fee for parking in municipal off-street parking areas shall be at a rate as indicated upon the meter.

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin for the purpose of permitting the vehicle of which he/she is in charge to remain in a parking space beyond the maximum period of time allowed in a particular zone.

It shall be unlawful for any person to park a vehicle within a parking meter space unless such vehicle is wholly within the painted lines adjacent to such meter.

It shall be unlawful for any unauthorized person to open, tamper with, break, injure or destroy any parking meter or to deposit or cause to be deposited in such meter any slugs, device or metallic substance or any other substitute for the coins required.

SECTION 5-7.6

Operators of commercial vehicles may park in a metered space without depositing a coin for a period not to exceed thirty (30) minutes for the purposes of loading or unloading. Parking in excess of this time limit without depositing the proper coin shall be deemed a violation of the provisions of this regulation.

SECTION 5-7.7

The Director of Public Works is hereby designated as the person authorized to collect monies deposited in parking meters or to cause the same to be so collected. Such monies shall be deposited forthwith with the Treasurer in a separate account to be known as the Needham Parking Meter Account.

SECTION 5-7.8

All fees received by said Treasurer from the operation and use of parking meters shall be used as authorized by Chapter 40 of the General Laws (Ter. Ed.).

SECTION 5-7.9

It shall be the duty of police officers, special police, and parking enforcement officers to enforce the provisions of this section.

SECTION 5-7.10

Any person who violates any parking provisions of this regulation shall be subject to the penalties provided by Chapter 90, Section 20A of the General Laws and any other violation shall be punishable as may be provided by law.

SECTION 5-7.11

No driver, while operating any vehicle owned and bearing indicia of ownership by the Town of Needham, State or Federal governments, shall be required to deposit any fee in a parking meter as provided in this section.

SECTION 5-7.12

All other regulations or parts of regulations which are inconsistent herewith are hereby repealed.

SECTION 5-8: Prohibited at Safety Zones

No person shall park a vehicle within twenty (20) feet of either end of a safety zone which is located within thirty (30) feet of the curb or edge of the roadway.

SECTION 5-9: Bus Stops

- a. No person shall stop or park a vehicle other than a bus in a bus stop.
- b. No person shall park a bus upon any street within a business district at any place other than a bus stop when a nearby bus stop is available for use.

SECTION 5-10: Taxicab Stands

- a. No person shall park a vehicle other than a taxicab upon any street within a business district in any taxicab stand. (Schedule No. II)
- b. No person shall park a taxicab upon any street within a business district at any place other than the taxicab stand or stands designated for the use of his taxicab or taxicabs.

ARTICLE VI

ONE-WAY STREETS

SECTION 6-1: One-Way Streets

The streets or portions thereof designated in Schedule No. III hereto appended and specifically incorporated in this section are declared to be one-way streets and all vehicular traffic shall move on those streets or portions thereof in the direction designated in said Schedule No. III.

SECTION 6-2: Rotary Traffic

Within the area set forth below vehicular traffic shall move only in a rotary counter-clockwise direction except when otherwise directed by an officer.

ARTICLE VII

OPERATION OF VEHICLES
(MGL CHAPTER 89 GOVERNS)

SECTION 7-1: Overtake Only When There is a Space Ahead

The driver of a vehicle shall not overtake and pass a vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the roadway to permit the overtaking to be completed without impeding the safety operation of any vehicle ahead.

SECTION 7-2: Driver to Give Way to Overtaking Vehicle

The driver of a vehicle when about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suitable and visible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

SECTION 7-3: Obstructing Traffic

- a. No person shall drive in such a manner as to impede unnecessarily the normal movement of traffic upon any street or highway. Officers are hereby authorized to require any driver who fails to comply with this Section to drive to the side of the roadway and wait until such traffic as has been delayed has passed.
- b. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection and crosswalk and on the right half of the roadway to accommodate

the vehicle he is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control signal indication to proceed.

SECTION 7-4: Following Too Closely

The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street or highway.

SECTION 7-5: Clinging to Moving Vehicles

It shall be unlawful for any person traveling upon a bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach himself or his vehicle to any moving vehicle upon any roadway.

SECTION 7-6: Care in Starting, Stopping, Turning, or Backing

The driver of any vehicle before starting, stopping, turning from a direct line or backing shall first see that such movement can be made in safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, said driver shall wait for a more favorable opportunity to make such a movement.

If the operation of another vehicle should be affected by a stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal as required by statute law.

SECTION 7-7: Prohibited and Mandatory Turning Movements

SECTION 7-8: Emerging from Alley or Private Driveway

The operator of a vehicle emerging from an alley, driveway or a garage shall stop such vehicle immediately prior to driving on to a sidewalk or on to the sidewalk area extending across alleyway or driveway.

SECTION 7-9: Obedience to Traffic Control Signals

Colors and arrow indications in traffic control signals shall have the commands ascribed to them in this section, and no other meanings, and every driver of a vehicle, railway car or other conveyance shall comply therewith, except when otherwise directed by an officer or by a lawful traffic regulating sign (other than a "stop" sign), signal or device or except as provided in Section 7-18 (b) of these rules.

In no case shall a driver enter or proceed through an intersection without due regard to the safety of other persons within the intersection, regardless of what indications may be given by traffic control signals.

Section 7-9: Obedience to Traffic Control Signals (Cont.)

1. Green indications shall have the following meanings:
 - a. Drivers facing a CIRCULAR GREEN may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But drivers turning right or left, shall yield the right-of-way to other vehicles, and to pedestrians lawfully within the intersection or an adjacent crosswalk, at the time such signal is exhibited.
 - b. Drivers facing a GREEN ARROW, shown alone or in combinations with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movements as is permitted by other indications shown at the same time. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
2. Steady yellow indications shall have the following meanings:
 - a. Drivers facing a steady CIRCULAR YELLOW OR YELLOW ARROW signal are thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when drivers shall not enter the intersection.
3. Steady red indications shall have the following meanings:
 - a. Drivers, facing a steady CIRCULAR RED signal and NO TURN ON RED SIGN shall stop at a clearly marked stop line but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in (b) below.
 - b. When no sign is in place prohibiting a right turn, or a left turn from a one-way street to another one-way street, drivers facing a steady CIRCULAR RED signal may cautiously enter the intersection to make the right turn, or left turn from a one-way street to another one-way street, after stopping as provided in (a) above. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
 - c. Drivers, facing a steady RED ARROW indication may not enter the intersection to make the movement indicated by such arrow, and unless entering the intersection to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to make the movement indicated by such arrow is shown.

Section 7-9: Obedience to Traffic Control Signals (Cont.)

4. Red and yellow indication shall have the following meaning:

While the red and yellow lenses are illuminated together, drivers shall not enter the intersection, and during such time the intersection shall be reserved for the exclusive use of pedestrians.

5. Flashing signal indication shall have the following meanings:

- a. Flashing red (stop signal) – When a red lens is illuminated with rapid intermittent flashes, driver of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the provisions of Chapter 89, Section 8 of the General Laws.
- b. Flashing yellow (caution signal) – When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

SECTION 7-10: U Turns Prohibited

No operator shall back or turn a vehicle so as to proceed in the direction opposite to that in which said vehicle is headed or traveling on the following streets. (See Schedule X)

SECTION 7-11: Stop Signs, Yield Signs, Through Ways

For Stop Signs

“In accordance with the provisions of Chapter 89, Section 9 of the General Laws the following streets are designated as stop streets at the intersections and in the direction indicated”:

In accordance with the foregoing, the streets listed in Schedule No. IV of these rules and orders are hereby declared to constitute stop streets or flashing red signal intersections as the case may be, and said Schedule No. IV is hereby specifically incorporated in this Section.

The same preamble should be used for designation of yield signs.

For Through Ways

“In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the following ways or parts of ways are hereby designated as through ways”.

In accordance with the foregoing, the streets listed in Schedule No. XV of these rules and orders are hereby declared to constitute through ways and said Schedule No. XV is hereby specifically incorporated in this Section.

SECTION 7-12: Keep to the Right of Roadway Division

Upon such roadways as are divided by a parkway, grass plot, reservation, viaduct, subway or by any structure or area, drivers shall keep to the right of such a division except when otherwise directed by an officer, signs, signals, or markings.

SECTION 7-13: Operation of Under or Overpasses at Intersection with Islands

At any junction or crossing of ways where the roadway grades have been separated and where the ways are connected by ramps and at any intersection of ways in which there are traffic islands, drivers of vehicles shall proceed only as indicated by official signs, signals or markings.

SECTION 7-14: Driving on Road Surfaces Under Construction or Repair

No operator shall enter upon a road surface of any street or highway or section thereof, when, by reason of construction, surface treatment, maintenance or the like, or because of some unprotected hazard, such road surface of the street or highway is not to be used or when so advised by an officer, watchman, member of a street or highway crew or employees of the town, either audibly or by signals.

SECTION 7-15: No Driving on Sidewalks

The driver of a vehicle shall not drive upon any sidewalk except at a permanent or temporary driveway.

SECTION 7-16: No Driving Through Safety Zones

It shall be unlawful for the driver of a vehicle, except on signal from a police officer, to drive the same over or through a safety zone.

SECTION 7-17: Funerals to be Properly Identified

A funeral composed entirely or partly of a procession of vehicles shall be identified as such by means of black pennants bearing a purple symbol attached to both the first and last vehicle or other suitable means.

SECTION 7-18: Right and Duties of Drivers in Funerals or Other Processions

- a. It shall be the duty of each driver in a funeral or other procession to keep as near to the right edge of the roadway as is feasible and to follow the vehicle ahead as closely as practicable and safe.

- b. At an intersection where a traffic control signal is operating, the driver of the first vehicle in a funeral or other procession shall be the only one required to stop for a red and/or yellow indication.

- c. At an intersection where a lawful Stop Sign exists, the driver of the first vehicle in a funeral or other procession shall be the only one required to stop before proceeding through the intersection.

SECTION 7-19: Unlawful Riding

It shall be unlawful for any reason to ride on any portion of a vehicle not designated or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to any employee engaged in the necessary discharge of a duty or within truck bodies in space intended for merchandise.

SECTION 7-20: Operation of Heavy Commercial Vehicles

- 1. The use and operation of heavy commercial vehicles having a carrying capacity of more than 2 ½ tons, are hereby restricted on the following named streets or parts thereof, and in the manner outlined and during the period of time set forth.

- 2. Exemptions – Part 1 of this Section shall not apply to heavy commercial vehicles going to or coming from places upon said streets for the purpose of making deliveries of goods, materials, or merchandise to or similar collections from abutting land or buildings or adjoining streets or ways to which access cannot otherwise be gained; or to vehicles used in connection with construction, maintenance and repair of said streets or public utilities therein; or to Federal, State, Municipal or public service corporation owned vehicles. (See Schedule VI)

ARTICLE VII-A

PEDESTRIAN CONTROL REGULATIONS

SECTION 1: Pedestrians Crossing Ways or Roadways

Pedestrians shall obey the directions of police officers directing traffic and whenever there is an officer directing traffic, a traffic control signal or a marked crosswalk within three hundred (300) feet of a pedestrian, no such pedestrian shall cross a way or roadway except within the limits of a marked crosswalk and as hereinafter provided in these regulations. For the purpose of these regulations, a marked crosswalk shall only be construed to be that area of a roadway reserved for pedestrian crossing located between two solid white reflectorized 12 inch pavement markings in rural areas or markings not less than six inches wide in urban areas, said markings or lines being no less than six feet apart.

SECTION 2: Pedestrian Actuation

- a. At a traffic control signal location where pedestrian indications are provided but which are shown only upon actuation by means of a pedestrian push button, no pedestrian shall cross a roadway unless or until the pedestrian control signal push button has been actuated and then cross only on the proper pedestrian signal indication. At traffic control signal locations where no pedestrian indication is provided, pedestrians shall cross only on the green indication. If necessary, the green indication shall be actuated by the pedestrian by means of a push button.
- b. At a traffic control signal location, pedestrians shall yield the right-of-way to vehicles of a funeral or other procession or authorized emergency vehicle while in performance of emergency duties regardless of the signal indication given, and they shall not attempt to cross the roadway until such vehicles or procession has passed at which time pedestrians shall then cross the roadway only as provided in these regulations.

SECTION 3: Pedestrian Obedience to Traffic Control Signals

Traffic control signal color indications and legends shall have the commands ascribed to them in this section and no other meanings, and every pedestrian shall comply therewith, except when otherwise directed by an officer.

- a. Red and Yellow or the Word “Walk” - Whenever the red and yellow lenses are illuminated together or the single word “Walk” is illuminated, pedestrians facing such indication may proceed across the roadway and in the direction of such signal only.
- b. Red Alone or “Don’t Walk” – Whenever the words “Don’t Walk” or any indication other than red and yellow shown together are illuminated in a traffic control signal where pedestrian indications are provided, pedestrians approaching or facing such indication shall wait on the sidewalk, edge of roadway or in the pedestrian refuge area of a traffic island and shall not enter upon or cross a roadway until the proper indication is illuminated in the traffic control signal, but any pedestrian who has partially completed his crossing on the walk indication shall proceed or return to the nearest sidewalk or safety island on the yellow indication, the red indication or when the words “Don’t Walk” are illuminated by rapid intermittent flashes.
- c. Green Alone – At traffic control signal locations where no pedestrian indication is given or provided, pedestrians facing the signal may proceed across the roadway within any marked crosswalk in the direction of the green indication.
- d. Yellow Alone, Red Alone or Flashing “Don’t Walk” – Pedestrians approaching or facing a yellow, red or flashing “Don’t Walk” illuminated indication shall not start to cross a roadway.

- e. Flashing Red, Yellow or Green – At any traffic control signal location where a flashing red, flashing yellow or flashing green indication is being given facing a crosswalk, pedestrians shall actuate, where provided, the pedestrian signal indication and cross the roadway only on the red-yellow or “Walk” indication when such indication is in operation. If no pedestrian signal is provided, pedestrians shall cross within crosswalks with due care.

SECTION 4: Vehicle Operation at Crosswalks

- a. When traffic control signals are not in place or not in operation the driver of a vehicle, which for the purposes of this Article shall include bicycles, shall yield the right-of-way, slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a marked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian approaches from the opposite half of the roadway to within 5 feet of that half of the roadway upon which the vehicle is traveling.
- b. No operator of a vehicle shall pass any other vehicle which has been stopped at a marked crosswalk to permit a pedestrian to cross a way, nor shall any operator enter a marked crosswalk until there is sufficient space on the other side of the crosswalk to accommodate the vehicle he is operating notwithstanding any traffic control signal indication to proceed.

SECTION 5: Pedestrian Crossings and Use of Roadways

- a. No pedestrian shall suddenly leave a sidewalk or safety island and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield the right-of-way.
- b. Pedestrians shall at all times attempt to cross a roadway using the right half of crosswalks.
- c. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway whenever the sidewalk is open to pedestrian use.
- d. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway on its unfinished shoulder facing traffic which may approach from the opposite direction.
- e. Persons alighting from the roadway side of any vehicle parked at the curb or edge of roadway shall proceed immediately to the sidewalk or edge of roadway adjacent to vehicle, and shall cross the roadway only as authorized by these regulations.
- f. It shall be unlawful for any person to actuate a pedestrian control signal or to enter a marked crosswalk unless a crossing of the roadway is intended.

SECTION 6: Crossing at Non-Signalized Locations

Every pedestrian crossing a roadway at any point other than within a marked crosswalk shall yield the right-of-way to all vehicles upon the roadway. At a point where a pedestrian tunnel or overpass has been provided pedestrians shall cross the roadway only by the proper use of the tunnel or overpass.

SECTION 7: Operators to Exercise Due Care

The provisions of these regulations shall in no way abrogate the provisions of Chapter 90, Sections 14 and 14A of the General Laws (Ter. Ed.) which provide: "Precautions for Safety of Other Travelers" and for the "Protection of Blind Persons Crossing Ways". Furthermore, notwithstanding the provisions of these regulations every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian upon the roadway and shall give warning by sounding the horn when necessary and shall exercise proper precautions which may become necessary for safe operation.

SECTION 8: Pedestrians Soliciting Rides or Business

No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the operator or occupant of any vehicle without the written permission of the board or officer having control of such roadway or highway.

SECTION 9: Officers to Enforce Pedestrian Regulations

These pedestrian control regulations shall be enforced by all officers of the Town of NEEDHAM on and after Sept. 1, 1964.

SECTION 10: Exemptions

The provisions of these rules and regulations governing the use of ways by pedestrians shall not apply to pedestrians actually engaged in work upon a roadway closed to travel or under construction or repair, to municipal, state, federal or public service corporation employees while in the performance of their duties, to officers engaged in the performance of their public duties or to pedestrians acting in an emergency when such emergency necessitates departure from any part of these rules and regulations.

SECTION 11: Penalties

Any person who violates the provisions of this Article which deals with the proper use of ways by pedestrians shall be punished as provided in Chapter 90, Section 18A of the General Laws (Ter. Ed.) as most recently added by Chapter 409 of the Acts of 1962. Any person convicted of a violation of any other provisions of these regulations relative to the operation of vehicles shall be punished by a fine not exceeding twenty (\$20) dollars for each offense.

SECTION 12: Effect of Regulations

All existing rules and regulations governing the operation of vehicles or the use of ways by pedestrians which are inconsistent herewith are hereby expressly repealed. This repeal shall not, however, affect any

punishment or penalty imposed or any complaint or prosecution pending at the time of passage hereof for any offense committed under any of the said rules and regulations hereby repealed.

If any section, sub-section, sentence, clause or phrase of these rules and regulations is for any reason unconstitutional, such decision shall not affect the validity of the remaining portion of these rules and regulations. The Board of Selectmen of the Town of NEEDHAM hereby declares that they would have passed these rules and regulations and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

ARTICLE VIII

ACCIDENT REPORTS

SECTION 8-1: Drivers Must Report Accidents

Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or in which there is damage in excess of one thousand dollars (\$1,000.00) to any one vehicle or other property, shall report such accident within five (5) days to the Registrar and to the Police Department in accordance with the provisions of Chapter 90, Section 26, of the General Laws.

ARTICLE IX

PENALTIES AND REPEALS

SECTION 9-1: Penalties

Any person violating any provisions of any rule, regulation or order regulating the parking of motor vehicles made by anybody authorized to make the same shall be dealt with as provided in General Laws, Chapter 90, Section 20A or any Acts in amendment thereof, or in addition thereto, and any person violating any of the rules and regulations applicable to State highways made by the Commonwealth of Massachusetts Department of Transportation, under authority of General Laws, Chapter 85, Section 2, and Acts in amendment thereof, and in addition thereto, shall be subject to the penalty provided in said rules and regulations.

Any person convicted of a violation of any other rule, regulation or order made hereunder, except as other provided, shall be punished by a fine not exceeding fifty dollars (\$50.00) for each offense.

SECTION 9-2: Repeal

These rules are adopted with the intent that each of them shall have force and effect separately and independently of every other except insofar as by express reference or necessary implication any rule or any part of a rule is made dependent upon another rule or part thereof.

All official signs, lights, markings, signal systems or devices erected or installed under prior rules or regulations and necessary to the enforcement of these regulations shall be deemed to have been lawfully erected or installed hereunder provided the same were erected or installed with the permission and approval of the Commonwealth of Massachusetts Department of Transportation and insofar as the same are necessary as aforesaid for the enforcement of these regulations they shall be deemed continuing hereunder but in all other respects all prior rules, orders and regulations made by the Board of Selectmen of the Town of Needham for the regulation of vehicles are hereby expressly repealed. This repeal, however, shall not affect any punishment or penalty imposed or any complaint or prosecution pending at

the time of the passage hereof for any offense committed under said prior rules, orders or regulations hereby repealed, nor shall said repeal be effective unless and until these rules and regulations have been approved and published as required by law.

SECTION 9-3: Effect of Regulations

If any section, subsection, sentence, clause or phrase of these rules and order is for any reason unconstitutional, such decisions shall not affect the validity of the remaining portion of these rules and orders. The Board of Selectmen hereby declares that it would have passed these regulations and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 9-4: Owner Prima Facie Responsible for Violations

If any vehicle is found upon any street or highway in violation of any provisions of these rules and regulations and the identity of the driver cannot be determined, the owner or the person in whose name such a vehicle is registered shall be held prima facie responsible for such violations.