

Ord. #5576

**Ordinance to amend Chapter 21 – Motor Vehicles and Traffic – Article III
Operation of Motor Vehicles Generally, to add a new section establishing driving
rules in the presence of solid waste collection vehicles**

WHEREAS, driving behavior in the presence of solid waste collection vehicles is not specifically regulated in the current City Code of ordinances; and

WHEREAS, solid waste collection employees have the fifth (5th) highest fatality rate in the United States, and therefore require specific driving regulations to be enacted protect against reckless driving in their presence;

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Title 11, Chapter 16 of the City of Memphis Code of Ordinances be amended to incorporate the following section:

Sec. 11-16-57. Procedures to be taken when in the presence of stationary solid waste collection vehicles.

Upon approaching a stationary solid waste collection vehicle, a person who drives an approaching vehicle shall: proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 11-8-5(A) of the City of Memphis Code of Ordinances be amended to include Section 11-16-57 in its Schedule of Forfeitures, with an offense resulting in a forfeiture of \$50.00.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

THE FOREGOING ORDINANCE
5576
1st Reading 11-18-14 PASSED
2nd Reading 12-2-14
3rd Reading 12-16-14
Approved Mykel Spivey
Chairman of Council

Date Signed: 1-6-2015

Approved: [Signature]
Mayor, City of Memphis

Date Signed: 1/13/15

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Srysis
Comptroller