

## Chapter 66

### TRAFFIC AND VEHICLES\*

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\* **Cross References:** Law enforcement, ch. 38; offenses and miscellaneous provisions, ch. 42; ejection of refuse from vehicle, § 54-5; abandoning of motor vehicles prohibited, § 54-81; transportation of hazardous waste, § 54-141 et seq.; streets, sidewalks and other public places, ch. 58; vehicles for hire, ch. 78.

**State Law References:** Parking facilities, Code of Virginia, § 15.2-967; limited access streets, Code of Virginia, § 15.2-2026; regulation of traffic, Code of Virginia, § 15.2-2028; regulation of transportation of certain materials, Code of Virginia, § 15.2-2029; identification of disabled parking spaces by abovegrade signage, Code of Virginia, § 36-99.11; motor vehicles, Code of Virginia, § 46.2-100 et seq.; licensure of drivers, Code of Virginia, § 46.2-300 et seq.; local vehicle license, Code of Virginia, § 46.2-752 et seq.; regulation of traffic, Code of Virginia, § 46.2-800 et seq.; abandoned vehicles, Code of Virginia, § 46.2-1200 et seq.; removal of vehicles involved in accidents, Code of Virginia, § 46.2-1212; removal or immobilization of motor vehicles against which there are outstanding parking violations, Code of Virginia, § 46.2-1216; regulation of traffic on certain parking lots, Code of Virginia, § 46.2-1219; parking regulations in cities, towns and certain counties, Code of Virginia, § 46.2-1220; general powers of local governments as to motor vehicles, Code of Virginia, § 46.2-1300 et seq.

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## **ARTICLE I.**

## **IN GENERAL**

**Sec. 66-1. Adoption of state law.**

Pursuant to the authority of Code of Virginia, § 46.2-1300, all of the provisions and requirements of the laws of the state contained in Code of Virginia, title 46.2 and in Code of Virginia, § 18.2-266 et seq., except those provisions which are contained in this chapter and except those provisions and requirements, the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or with the town, as such are in effect on the effective date of this Code, are hereby adopted and incorporated in this chapter by reference and made applicable within the town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways, alleys and other public ways within the town. Such provisions and requirements are hereby adopted, mutatis mutandis.

(Code 1992, § 11-1; Ord. of 7-14-1992, § 11-1; Ord. of 7-1-1995, § 11-1; Ord. of 7-1-1996, § 11-1; Ord. of 7-1-1997, § 11-1)

**Sec. 66-2. Violations of chapter; penalties.**

It shall be unlawful for any person to violate any of the sections of this chapter. Unless otherwise stated, these violations shall constitute traffic infractions punishable by a fine of not



more than \$200.00.

(Code 1992, § 11-2; Ord. of 7-14-1992, § 11-2)

**State Law References:** Violations of motor vehicle law, Code of Virginia, § 46.2-113; no penalty for traffic ordinance violation to be greater than penalty for statute violation, Code of Virginia, § 46.2-1300(C).

### **Sec. 66-3. Penalties for state law violations.**

(a) Any penalties for violations of this chapter, whereby the provisions of Code of Virginia, § 18.2-266 et seq., as amended, pertaining to driving while intoxicated, are incorporated by reference pursuant to the town's authority under Code of Virginia, § 46.2-1313, shall be and are the same as the penalties provided for the same or similar offenses under general law, including penalties set by the provisions of Code of Virginia, § 18.2-11, as amended, anything in the Charter to the contrary notwithstanding.

(b) Any penalties for other violations of this chapter, including the provisions of Code of Virginia, title 46.2, as amended, pertaining to motor vehicles, are incorporated by reference pursuant to the town's authority under Code of Virginia, §§ 46.2-113 and 46.2-1300, wherein the incorporated section provides no specific fine, but states that the offense shall be punished as a misdemeanor, whether it is a class 1, class 2, class 3 or class 4 misdemeanor, shall be the penalties imposed for misdemeanors under Code of Virginia, § 18.2-11, as amended.

(Code 1992, § 11-3; Ord. of 7-14-1992, § 11-3; Ord. of 7-1-1995, § 11-3; Ord. of 7-1-1996, § 11-3; Ord. of 7-1-1997, § 11-3)

**Sec. 66-4. Roller skates, bicycles, wagons, skateboards and other devices.**

(a) It shall be unlawful for any person to ride, pull or push any roller skate, skateboard, bicycle, wagon or other device on wheels or runners on the town sidewalks.

(b) It shall be unlawful for any person to ride, push or pull any skateboard on the town streets.

(c) The town council may designate areas on the streets in the town in which persons may be permitted to use skateboards. If such highways or streets have two traffic lanes, such persons shall keep as near as reasonably possible to the extreme left side or edge of the lefthand lane, so that they will be facing oncoming traffic at all times.

(d) No person riding upon any bicycle, roller skates, skateboard or other device on wheels or runners shall attach the device on wheels or himself to any vehicle upon a roadway.

(e) Any person violating this section shall be fined no more than \$200.00 for every offense.

(Code 1992, § 19-19)

**Charter References:** Authority of town council to prevent skating and riding bicycles on sidewalks, § 34.

**State Law References:** Bicycles, Code of Virginia, § 46.2-903 et seq.

#### **Sec. 66-5. Riding bicycles or mopeds; riding or driving animals.**

Every person riding a bicycle, moped or an animal or driving an animal on a highway shall be subject to this chapter and shall have all of the rights and duties applicable to the driver of a vehicle, unless the context of the section of this chapter clearly indicates otherwise.

(Code 1992, § 11-4)

**Cross References:** Animals, ch. 10.

**State Law References:** Similar provisions, Code of Virginia, § 46.2-800.

**Sec. 66-6. Placement of traffic control signs, signals, markings and devices.**

The town council shall cause a traffic control sign, signal, marking or device to be installed and maintained as required by law when the town council:

(1) Designates an intersection as one at which the driver of a vehicle is required to stop or to yield the right-of-way before entering such intersection.

(2) Designates a street upon which traffic is to proceed only in one direction.

(3) Designates a place at which turning movements are otherwise prohibited or restricted.

(4) Imposes any other regulation of traffic for which a traffic control sign, signal, marking or device which by state law is required to be in place to give notice to drivers of vehicles or pedestrians.

(Code 1992, § 11-5)

**Sec. 66-7. Required compliance with official traffic control signs, signals, markings and devices.**

All traffic control signs, signals, markings and devices which are in place anywhere within the town pursuant to the authority of state law, this Code or other ordinance shall be complied with. It shall be unlawful for the driver of any vehicle or for any pedestrian to violate or fail to comply with any requirement, prohibition or directive contained in any such traffic control sign, signal, marking or device except by directive of a police officer.

(Code 1992, § 11-6)

**State Law References:** Uniform marking and signing of highways, duty of drivers to obey signs, Code of Virginia, § 46.2-830.

**Sec. 66-8. Authority of fire department members to direct traffic.**

Members of the fire department may direct or assist the police in directing traffic at or in the immediate vicinity of a fire and, while so acting, shall have all the authority of police officers.

(Code 1992, § 11-7)

**State Law References:** Authority of towns to adopt ordinances relating to powers and duties of fire/EMS departments, companies, etc., Code of Virginia, § 27-14.

**Sec. 66-9. Authority of rescue squad members to direct traffic.**

Crew members of rescue squad vehicles which qualify as emergency vehicles, as specified in

Code of Virginia, § 46.2-920, may direct or assist the police in directing traffic at or in the immediate vicinity of an accident and, while so acting, shall have all the authority of police officers.

(Code 1992, § 11-8)

**Sec. 66-10. Speed limits.**

Except as provided by state law with respect to drivers of specified emergency vehicles, no person shall drive or propel a vehicle upon any street or public way of this town at a speed in excess of the speed posted in authorized traffic control signs upon such street or public way or, in the absence of any such signs, at a speed in excess of 25 miles per hour.

(Code 1992, § 11-9)

**State Law References:** Speed limitation on bridges and in tunnels, Code of Virginia, § 46.2-881; exemptions applicable to emergency vehicles, Code of Virginia, § 46.2-920; authority of town to change speed limit, Code of Virginia, § 46.2-1300.

**Sec. 66-11. Unlawful riding.**

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This section shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within a truck body in space intended for merchandise.

(Code 1992, § 11-10)

**Sec. 66-12. Boarding or alighting from moving vehicles.**

No person shall board or alight from any vehicle while such vehicle is in motion.

(Code 1992, § 11-11)

**Sec. 66-13. Driving through funeral or other processions; manner of driving in funeral processions.**



(a) No operator of a vehicle shall drive between the vehicles, persons or animals comprising a funeral or other authorized procession, except when otherwise directed by a police officer. This subsection shall not apply to specified emergency vehicles as defined in Code of Virginia, § 46.2-920.

(b) Each driver in a funeral procession shall drive as near to the righthand edge of the roadway as is practicable and shall follow the vehicle ahead as close as is practicable and safe.

(Code 1992, § 11-12)

**Sec. 66-14. Identification of vehicles in funeral processions; right-of-way.**

(a) All motor vehicles participating in a funeral procession, when proceeding to any place of burial, shall display illuminated headlamps thereon and such other identification, if any, as the chief of police may prescribe.

(b) All motor vehicles so designated shall have the right-of-way over all other vehicles, except emergency vehicles as specified in Code of Virginia, § 46.2-920, at any street or highway intersection within the town and may proceed through a stop street or signalized

intersection with proper caution and safety.

(Code 1992, § 11-13)

**Sec. 66-15. Backing.**

The operator of a vehicle in the town shall not back such vehicle unless such movement can be made with safety and without interfering with other traffic.

(Code 1992, § 11-14)

**Sec. 66-16. U-turns prohibited.**

No person driving a vehicle upon any public street or way within the town shall turn such vehicle so as to cause it to proceed in the opposite direction or make what is commonly referred to as a "U-turn," except at such places as are designated by the town council.

(Code 1992, § 11-15)

**Sec. 66-17. Blocking intersection.**

No operator of a vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space beyond such intersection or crosswalk in the direction in which such vehicle is proceeding to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(Code 1992, § 11-16)

**Sec. 66-18. Noise in operation of motor vehicles.**

(a) No vehicle shall be loaded with materials likely to create loud noises by striking together, without using every reasonable effort to deaden the noise.

(b) The use in, upon or attached to any motor vehicle operating on any town street of any radio, phonograph, musical instrument, bell, whistle, loudspeaker, amplifier or device of any kind whatsoever whereby sound therefrom is cast upon any street to promote or advertise the sale of goods, wares or merchandise or for the purpose of advertising auction sales, sporting events or other businesses or things advertised thereby is prohibited without a permit from the council. This subsection shall not apply to motor vehicles driven in a duly authorized parade. The use of a loudspeaker on a motor vehicle for making auction sales in streets directly in front of the property then being sold, and entirely outside of the business districts of the town, shall not be construed as a violation of this subsection when such use is limited strictly to the selling at auction of such property.

(c) It shall be unlawful for any person in operating a motor vehicle or motorcycle within the town to create in the operation thereof any unreasonably loud or disturbing noise.

(d) In operating a motor vehicle or motorcycle, the following acts, among others, are declared to create loud and disturbing noises in violation of this section, but such enumeration shall not be deemed to be exclusive:

(1) The use of a motor vehicle or motorcycle so out of repair as to cause thereby loud grating, grinding, rattling or any of such noises or any other noise.

(2) The practice of racing the motor of a motor vehicle or motorcycle while standing or moving, thereby causing unnecessary noise from such motor.

(3) The practice of retarding the spark to the motor of a motorcycle and thereby causing unnecessary, loud and explosive noise from the motor.

(4) In starting a motor vehicle or motorcycle from a standing position, the practice of gaining speed quickly and thereby causing unnecessary and loud noise from the motor and the screeching of tires or either of such noises.

(5) The practice of coming to a quick stop with a motor vehicle or motorcycle and thereby causing the grinding of brakes and screeching of tires or either of such noises.

(Code 1992, § 11-17)

**Cross References:** Noise, § 26-26 et seq.

**State Law References:** Prohibition against muffler cutouts, etc., Code of Virginia, § 46.2-1047.

**Sec. 66-19. Use of automobiles for prostitution or illicit intercourse.**

It shall be unlawful for any owner or chauffeur of any vehicle, with knowledge or reason to believe the vehicle is to be used for such purpose, to use the vehicle or to allow the vehicle to be used for the purpose of prostitution or unlawful sexual intercourse or to aid or promote such prostitution or unlawful sexual intercourse by the use of such vehicle.

(Code 1992, § 11-18)

**State Law References:** Similar provisions, Code of Virginia, § 18.2-349.

**Sec. 66-20. Riding bicycle without using handlebars.**

No person shall ride a bicycle upon any street without having his hands on the handlebars.

(Code 1992, § 11-19)

**Sec. 66-21. Temporary removal and disposition of vehicles involved in accidents.**

Whenever a motor vehicle, trailer or semitrailer involved in an accident is so located as to impede the orderly flow of traffic, the police may, at no cost to the owner or operator, remove the motor vehicle, trailer or semitrailer to some point in the vicinity where it will not impede the flow of traffic.

(Code 1992, § 11-21)

**State Law References:** Authority of town to provide by ordinance for the removal and disposition of vehicles involved in accidents, Code of Virginia, § 46.2-1212.

**Sec. 66-22. Pedestrians' use of roadway; keeping to left.**

Pedestrians shall not use the roadways for travel, except when necessary to do so because of the absence of sidewalks which are reasonably suitable and passable for their use. If they walk on the hard surface or the main-travelled portion of the roadway, they shall keep to the extreme left side or edge thereof, or, where the shoulders of the highway are of sufficient width to permit, they may walk on either shoulder thereof.

(Code 1992, § 11-22)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-928.

**Sec. 66-23. Pedestrians soliciting rides.**

Pedestrians shall not stand or stop in any roadway for the purpose of soliciting rides.

(Code 1992, § 11-23)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-929.

**Sec. 66-24. Driving or standing vehicle or animal on sidewalk.**



No person shall, except on such pavement and at such places as are provided for in this Code, drive a vehicle or animal upon any sidewalk, nor shall any person permit a vehicle to stand upon the sidewalk or upon a street crossing.

(Code 1992, § 11-24)

**Cross References:** Animals, ch. 10; streets, sidewalks and other public places, ch. 58.

**Sec. 66-25. Construction, maintenance and loading to prevent escape of contents; load covers; exemptions.**

(a) No vehicle shall be operated or moved on any highway unless it is so constructed, maintained, and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping. No provision of this section, however, shall apply to any:

(1) Motor vehicle that is used exclusively for agricultural purposes as provided in Code of Virginia, § 46.2-698 and is not licensed in any other state;

(2) Agricultural vehicle, tractor, or other vehicle exempted from registration and licensing requirements pursuant to Code of Virginia, § 46.2-662 et seq.; or

(3) Motor vehicle transporting forest products, poultry, or livestock.

(b) The loads of all trucks, trailers and semitrailers carrying gravel, sand, coal or other nonagricultural and nonforestry products on interstate, primary, or secondary highways or roads maintained by cities, counties or incorporated towns shall be either (i) secured to the vehicle in which they are being transported or (ii) covered. Covers used to prevent the escape of material from commercial vehicles used to transport solid waste shall be of such design, installation, and construction as to contain the vehicle's cargo within the vehicle, regardless of the vehicle's speed or weather conditions. Public service company vehicles, pickup trucks, and emergency snow removal equipment while engaged in snow removal operations shall be excluded from this subsection.

(Code 1992, § 11-25)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-1156.

**Sec. 66-26. Documentary requirements for vehicles.**

No person shall operate or permit the operation of a motor vehicle, trailer or semitrailer owned, leased or otherwise controlled by him to be operated on a highway unless:

(1) It is registered.

(2) A certificate of title therefor has been issued.

(3) It has displayed on it the license plate and decal, if any, assigned to it by the state department of motor vehicles for the current registration period, subject to the exemptions mentioned in Code of Virginia, §§ 46.2-626, 46.2-655 et seq., and 46.2-662 et seq.

(Code 1992, § 11-26)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-613.

**Sec. 66-27. Approval sticker required for vehicles.**

Except as otherwise provided by law, there shall be placed on the windshield of every motor vehicle, trailer or semitrailer at a place to be designated by the superintendent of the department of state police an approval sticker furnished by the department of state police. If any vehicle is not equipped with a windshield, the approval sticker shall be placed on the vehicle in a location designated by the town manager. This sticker shall be displayed on the windshield of such vehicle or at such other designated place upon the vehicle at all times when it is operated on the highways in the town and until such time as a new inspection period shall be designated and a new inspection sticker issued.

(Code 1992, § 11-27)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-1163.

**Secs. 66-28--66-55. Reserved.**

## **ARTICLE II.**

### **STOPPING, STANDING AND PARKING\***

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\* **Cross References:** Minimum off-street parking, § 50-103; off-street loading requirements, § 50-104.

**State Law References:** Municipal off-street parking facilities, Code of Virginia, § 15.2-967; abandoned motor vehicles, Code of Virginia, § 46.2-1200 et seq.; municipal regulation of parking, Code of Virginia, § 46.2-1220 et seq.; ticketing or immobilization of vehicles or removal of vehicles from parking facilities, Code of Virginia, § 46.2-1231 et seq.; local governing body may regulate certain towing, Code of Virginia, § 46.2-1217.

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## **Sec. 66-56. Traffic control parking devices.**

(a) At any place where a traffic control sign or marking is in place indicating that parking at such place is prohibited or is prohibited during certain hours of the day or days of the week or in excess of a certain period of time, is restricted to certain vehicles or certain uses, or is limited in any other respect, no person shall stand or park a vehicle or permit a vehicle to remain standing or parked at such place in violation of the prohibition or limitation indicated by such sign or marking.

(b) The town council may designate streets and public places or portions thereof within the town upon which or at which parking shall be prohibited, restricted or limited in such manner and to such extent as may be considered necessary by the council for the regulation of the use of such streets and public places in the best interests of the public. The town council may direct an appropriate town officer to place or cause to be placed official traffic control signs or markings at such places to give notice of the prohibitions, restrictions or limitations so imposed. Included within the meaning of this section are traffic control signs and markings, among others not specified in this section, as follows:

- (1) No parking at any time.
- (2) No parking between 4:00 p.m. and 6:00 p.m.
- (3) Two-hour parking.
- (4) Parking prohibited except Sundays and holidays.

(5) No parking this side of street.

(6) No parking from here to corner.

(7) Bus stop.

(8) Safety zone.

(9) Physician parking only.

(10) Official cars only.

(11) Other prohibitions, restrictions and limitations on parking, as determined by the town council.

(c) When, by state law, permission of the commonwealth transportation commissioner or other state authority is required prior to the erection of any traffic control device, such permission shall be obtained prior to installation of such device.

(Code 1992, § 11-46)

**State Law References:** Parking regulations in towns, Code of Virginia, § 46.2-1220.

## **Sec. 66-57. Stopping on highways.**

No person shall stop a vehicle in such manner as to impede or render dangerous the use of the highway by others, except in an emergency, an accident or a mechanical breakdown. In such an emergency, accident or breakdown, the emergency flashing lights of such vehicle shall be turned on if the vehicle is equipped with such lights and such lights are in working order. If the driver is capable of doing so and the vehicle is movable, the driver may move the vehicle only so far as is necessary to prevent obstructing the regular flow of traffic; provided, however, that the movement of the vehicle to prevent the obstruction of traffic shall not relieve the



law-enforcement officer of his duty pursuant to Code of Virginia, § 46.2-373. A report of the vehicle's location shall be made to the nearest law-enforcement officer as soon as practicable, and the vehicle shall be moved from the roadway to the shoulder as soon as possible and removed from the shoulder without unnecessary delay. If the vehicle is not promptly removed, such removal may be ordered by a law-enforcement officer at the expense of the owner, if the disabled vehicle creates a traffic hazard.

(Code 1992, § 11-47)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-888.

#### **Sec. 66-58. Location of parked vehicles.**

No vehicle shall be stopped except close to and parallel to the right edge of the curb or roadway, except that a vehicle may be stopped close to and parallel to the left curb or edge of the roadway on one-way streets or may be parked under section 66-67.

(Code 1992, § 11-48)

**State Law References:** Similar provisions, Code of Virginia, § 46.2-889.