

## **IC 9-21-16**

### **Chapter 16. Parking**

#### **IC 9-21-16-1**

##### **Stopping or parking a vehicle upon a highway; restrictions; exceptions**

Sec. 1. (a) This section does not apply to a person who drives a vehicle that is disabled while on the paved, improved, or main traveled part of a highway in a manner and to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the highway.

(b) A person may not stop, park, or leave standing an attended or unattended vehicle upon the paved or main traveled part of a highway outside of a business or residence district, if it is practicable to stop, park, or leave the vehicle off the highway.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-2**

##### **Unobstructed passage of vehicles and clear view of stopped vehicle**

Sec. 2. A person who stops, parks, or leaves a vehicle shall leave a sufficient unobstructed width of the roadway opposite the vehicle for the free passage of other vehicles and a clear view of the stopped vehicle from a distance of two hundred (200) feet in each direction upon the highway.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-3**

##### **Removal of vehicle from traveled portion of highway**

Sec. 3. Whenever a police officer finds a vehicle standing upon a highway in violation of this chapter, the officer may require the person driving the vehicle or other person in charge of the vehicle to move the vehicle to a position off the paved, improved, or main traveled part of the highway. If:

(1) a person directed by an officer fails or refuses to move the vehicle; or

(2) the vehicle is unattended;

the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-4**

##### **Obstruction of a bridge, causeway, or tunnel; removal of vehicle**

Sec. 4. Whenever a police officer finds a vehicle unattended upon a bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-5**

##### **Avoiding conflict with traffic or law enforcement officers;**

### **directions of police officers or traffic control devices**

Sec. 5. A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within fifteen (15) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a crosswalk at an intersection.
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (10) Within twenty (20) feet of the driveway entrance to a fire station and, on the side of a street opposite the entrance to a fire station, within seventy-five (75) feet of the entrance (when properly sign posted).
- (11) Alongside or opposite a street excavation or obstruction if stopping, standing, or parking would obstruct traffic.
- (12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
- (13) Upon a bridge or other elevated structure upon a highway or within a highway tunnel.
- (14) At any place where official signs prohibit stopping.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-16-5.5**

#### **Stopping or parking in fire lane; local ordinances; complaints; summons; volunteers**

Sec. 5.5. (a) This section applies to a fire lane that is located on property that is privately or publicly owned.

(b) A person may not stop, stand, or park a vehicle in a fire lane.

(c) A fire lane must be marked with the words "No Parking Fire Lane" in white letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices. The words and stripe must be placed twelve (12) feet from the sidewalk, curb, or building. The words "No Parking Fire Lane" must be positioned between the stripe and the sidewalk, curb, or building.

(d) This section does not prohibit a county, city, or town from adopting and enforcing an ordinance that regulates stopping, standing, and parking motor vehicles in a fire lane.

(e) An ordinance adopted under subsection (d) may not conflict

with this section.

(f) A law enforcement agency authorized to enforce:

- (1) subsection (b); or
- (2) an ordinance adopted under subsection (d);

may appoint volunteers to issue complaints and summonses for violations of subsection (b) or an ordinance adopted under subsection (d).

(g) To issue complaints and summonses, a volunteer appointed under subsection (f) must:

- (1) be at least twenty-one (21) years of age;
- (2) complete a course of instruction concerning the enforcement of this chapter that is conducted by the appointing law enforcement agency;
- (3) after successfully completing the course of instruction, obtain a certificate from the executive authority of the appointing law enforcement agency; and
- (4) satisfy any other qualifications established by the law enforcement agency.

(h) The executive authority of a law enforcement agency that appoints volunteers under subsection (f) shall file a copy of each certificate issued under subsection (g)(3) with the prosecuting attorney having jurisdiction over the area served by the law enforcement agency.

(i) A complaint and summons issued by a volunteer appointed under subsection (f) has the same force and effect as a complaint and summons issued by a law enforcement officer for the same violation.

(j) A volunteer appointed under subsection (f) does not have powers of a law enforcement officer, except those powers granted under this section.

(k) The executive authority of a law enforcement authority that appoints a volunteer under subsection (f) may, at any time, revoke the certificate issued to the volunteer under subsection (g)(3). If a certificate is revoked under this subsection:

- (1) the executive authority shall notify the prosecuting attorney with whom the certificate was filed under subsection (h) of the revocation; and
- (2) the volunteer's powers under this section terminate immediately upon the revocation.

(l) A volunteer appointed under subsection (f) may not issue a complaint and summons upon private property unless the law enforcement agency that appointed the volunteer first receives permission from the property owner or the property manager.

(m) A property owner is not liable for property damage or personal injury resulting from the actions of a volunteer appointed under subsection (f) issuing a complaint and summons.

*As added by P.L.59-1993, SEC.3. Amended by P.L.8-2003, SEC.2.*

### **IC 9-21-16-5.7**

#### **Complaints; summons; forms**

Sec. 5.7. A person enforcing this chapter may issue a complaint

and summons for a violation of section 5.5(b) of this chapter or an ordinance adopted under section 5.5(d) of this chapter on a form other than the forms described in IC 9-30-3-6. However, the complaint must comply with the Indiana Rules of Trial Procedure.  
*As added by P.L.8-2003, SEC.3.*

#### **IC 9-21-16-6**

##### **Movement of vehicle by nonowner**

Sec. 6. A person may not move a vehicle not owned by the person into a prohibited area or away from a curb to a distance that is unlawful.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-7**

##### **Parallel parking; roadways with adjacent curbs; regulations; motorcycles**

Sec. 7. (a) Except as provided in subsection (b) and except where angle parking is permitted by local ordinance for streets under local control and by order of the Indiana department of transportation on streets and highways in the state highway system, including routes through cities and towns, a vehicle stopped or parked upon a roadway where there is an adjacent curb must be stopped or parked with the right-hand wheels of the vehicle parallel with and within twelve (12) inches of the right-hand curb.

(b) A motorcycle stopped or parked upon a roadway where there is an adjacent curb may be stopped or parked with the rear wheel of the motorcycle to the curb and with the front tire facing the flow of traffic.

*As added by P.L.2-1991, SEC.9. Amended by P.L.60-1998, SEC.1.*

#### **IC 9-21-16-8**

##### **Signs prohibiting or restricting stopping, standing, or parking; posting**

Sec. 8. The Indiana department of transportation may, with respect to highways under the department's jurisdiction, place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where an engineering investigation has revealed the need for a restriction. The signs must be official signs. A person may not stop, stand, or park a vehicle in violation of the restrictions stated on the signs.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-16-9**

##### **Violations; Class C infraction**

Sec. 9. A person who violates this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.9.*