

Article 4: Miscellaneous Driving Rules

(“Miscellaneous Driving Rules” added 4-21-1942 by O-2423 N.S.)

Division 0:

§84.01 Commercial Vehicles Using Private Driveways

No person shall operate or drive a commercial vehicle in, on or across any private driveway approach or sidewalk area or the driveway itself without the consent of the owner or occupant of the property, if a sign or markings are in place indicating that the use of such driveway is prohibited.

For the purpose of this section a commercial vehicle shall mean a vehicle having a rated capacity in excess of one-half ton.

(“Commercial Vehicles Using Private Driveways” added 4-10-1956 by O-6936 N.S.)

§84.02 Barricaded Streets

No person shall ride or drive any animal or any vehicle over or across any street or portion thereof when a barrier or sign is in place warning persons not to drive over or across such street or portion thereof, or when a sign is in place stating that the street or any portion thereof is closed.

(“Barricaded Streets” added 4-10-1956 by O-6936 N.S.)

§84.03 Vehicles on Private Property

- (a) It shall be unlawful for any person to operate or drive or leave any vehicle in, over, or upon any private property without the written permission of the owner thereof, or the person entitled to the immediate possession thereof, or the authorized agent of either.
- (b) Whenever any person is stopped by a peace officer pursuant to this section, he or she shall, upon the request of such peace officer, display said written permission.

- (c) It shall be unlawful for any person to park or permit the parking of any vehicle upon private property in violation of the off-street parking regulations contained within Chapter 14, Article 2, Division 5 of the San Diego Municipal Code. The consent of the property owner or the person(s) in immediate possession of the private property where the vehicle is illegally parked shall not bar prosecution, but rather the owner or person(s) in possession of the property may also be liable for violations of this section pursuant to San Diego Municipal Code section 121.0311.
- (d) The Development Services Director’s designated enforcement agents, police officers, and/or any non-sworn employee charged with the enforcement of state laws and Chapter 8 of the Municipal Code relating to illegal parking shall have the authority to enforce this section in a manner consistent with the procedures specified in section 82.07 of the San Diego Municipal Code.

(Amended 7-25-1994 by O-18088 N.S.)

§84.04 Riding or Driving on Sidewalk

It shall be unlawful for any person to ride, drive, propel, or cause to be propelled any vehicle or animal across or upon any sidewalk excepting over permanently constructed driveways and excepting when it is necessary for any temporary purpose to drive a loaded vehicle across a sidewalk; provided further, that proper protection against sidewalk damage and pedestrian use be provided.

(“Riding or Driving on Sidewalk” added 4-10-1956 by O-6936 N.S.)

§84.05 Vehicle Not to Obstruct Streets

No person shall operate any vehicle in such a manner as to obstruct the free use of the street. No operator of any vehicle shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

(“Vehicle Not to Obstruct Streets” added 4-10-1956 by O-6936 N.S.)

§84.06 Restrictions on Use of Limited Access Highways

- (a) No person shall drive a vehicle onto or from any limited access highway or Freeway except at such entrances and exits as are established by public authority.
- (b) No person shall drive or operate any bicycle, scooter or any vehicle which is not drawn by a motor vehicle upon any limited access highway or Freeway, nor shall any pedestrian walk across or along any limited access highway except in space set aside for the use of pedestrians, provided official signs are in place giving notice of such restrictions.
- (c) No person shall ride, drive or lead any livestock within the limits of any limited access highway or Freeway, nor shall any person owning or controlling or having the possession of any livestock permit the same to stray within the limits of any limited access highway or Freeway.

(“Restrictions on Use of Limited Access Highways” added 4-10-1956 by O-6936-N.S.)

§84.07 Following Fire Apparatus Prohibited

It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm, closer than one (1) block, or to park, stop or stand any vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(Incorp. 1-22-1952 by O-5046 N.S., contained in O-2423 N.S., adopted 4-21-1942.)

§84.08 Crossing Fire Hose

No street car or vehicle shall be driven over unprotected hose of the Fire Department when laid down on any street, private driveway or street car track, without the consent of the Chief of the Fire Department, or the assistant in command.

(Incorp. 1-22-1952 by O-5046 N.S., contained in O-2423 N.S., adopted 4-21-1942.)

§84.09 Bicycle Riding Restricted

- (a) No person shall operate a bicycle upon any sidewalk fronting any commercial business establishment unless official signs are posted authorizing such use.
- (b) Any person riding or operating a bicycle on any sidewalk or right of way not open to public vehicular traffic shall exercise due care and shall yield the right of way to pedestrians.
- (c) No person shall operate a bicycle on any sidewalk or right of way not open to public vehicular traffic at a speed greater than is reasonable and prudent having due regard for pedestrian traffic and in no event at a speed which endangers the safety of persons or property.
- (d) No person shall operate a cycle, with the sole exception of bicycles of conventional structure, designed to carry only one person or two persons, one behind the other with wheels one behind the other, upon the most westerly public walkway between San Diego Place and Law Street, known as Ocean Front Walk or Ocean Boulevard, and the most easterly public walkway between San Diego Place and Santa Rita Place, known as Bayside Walk. This subsection shall not apply to persons disabled or otherwise physically incapable of operating a conventionally designed bicycle.

(Amended 8-10-1992 by O-17818 N.S.)

§84.10 Unlawful to Drive Through Funeral Procession

It shall be unlawful for the driver of any vehicle to drive between the vehicles comprising a funeral procession, provided that such vehicles are conspicuously so designated.

(Incorp. 1-22-1952 by O-5046 N.S., contained in O-2423 N.S., adopted 4-21-1942.)

§84.12 Use of Skateboards, Coasters, Roller Skates, and Similar Devices Restricted

- (a) It is unlawful for any person riding on roller skates or by means of a coaster, skateboard, toy vehicle, or similar device to go upon an open roadway in the City of San Diego, or upon the sidewalk or public plaza in any business district, or upon any inclined surface area of any City-owned or privately owned parkade where signs forbidding such activity are displayed at the ground level elevator entrance and at each vehicular entrance to the parkade.

- (b) Between the hours of 10:00 p.m. and 7:00 a.m., it is unlawful for any person riding on or by means of a coaster, skateboard, toy vehicle, or similar device to go upon: (1) any portion of public rights-of-way within the Mission Beach community, as defined by the Community Planning Area Map, as designated on Map Drawing No. C-637.1, on file in the office of the City Clerk as Document No. 768482; or, (2) any portion of the most westerly public walkway between San Diego Place on the south and Law Street on the north, known as Ocean Front Walk or Ocean Boulevard, or to go upon the public walkway immediately adjacent to the bay extending from the Mission Beach community, around Sail Bay, through Crown Point Shores, as designated on the map on file in the office of the City Clerk as Document No. 00-18425.
- (c) Any person upon roller skates or riding on or by means of a coaster, skateboard, toy vehicle or similar device on any sidewalk or right of way not open to public vehicular traffic shall exercise due care and shall yield the right of way to pedestrians.
- (d) No person shall go upon roller skates or ride on or by means of a coaster, skateboard, toy vehicle or similar device on any sidewalk or right of way not open to public vehicular traffic at a speed greater than is reasonable and prudent having due regard for pedestrian traffic and in no event at a speed which endangers the safety of persons or property.
- (e) Except for school-sanctioned events authorized by a school site administrator, no person shall ride any skateboard, roller-blade, roller-skate or similar type device on any property owned by any school district which has a policy prohibiting such use, and displays a sign at the main entrance to the property informing visitors of the policy.

(Amended 8-5-1997 by O-18426 N.S.)

§84.14 Vehicle Load Limit

It is hereby declared to be unlawful to transport by any commercial vehicle or by any vehicle, a load in excess of 8,000 pounds upon Aldine Drive, between the easterly line of Fairmount Avenue and the southerly line of Monroe Avenue.

(Incorp. 1-22-1952 by O-5046 N.S., contained in O-2423 N.S., adopted 4-21-1942.)

§84.14.1 Vehicle Load Limit

It is hereby declared to be unlawful to transport by any commercial vehicle or by any vehicle a load in excess of three tons rated capacity upon that unnamed road in San Pasqual Valley between San Pasqual Road and State Highway 78 as shown on map on file in the office of the City Clerk as Document No. 731455.

(“Vehicle Load Limit” added 4-7-1970 by O-10267 N.S.)

§84.14.2 Vehicle Load Limit — Route 163

It is hereby declared to be unlawful to drive or allow to be driven any commercial or other vehicle which has a rated capacity of one ton or more on that portion of Route 163 southerly of Interstate 8 through Balboa Park, southbound, Monday through Friday, between the hours of 7:00 a.m. and 9:00 a.m. The specific boundaries of said prohibition are set forth on a map on file in the office of the City Clerk as Document No. 743513.

NOTE: This prohibition shall not apply to any vehicle which is subject to the provisions of Section 1031 to 1036, inclusive, of the Public Utilities Code.

Pursuant to Section 35702 of the Vehicle Code of the State of California, the alternate routes for the use of vehicles, which routes shall remain unrestricted as to weight limits or types of vehicles so long as this ordinance shall remain in effect, are portions of Interstate 805 and Interstate 5, as designated on said map on file with the Clerk of The City of San Diego as Document No. 743513.

This ordinance shall take effect and be in force upon receipt by City of final approval from the Department of Public Works of the State of California pursuant to Section 35702 of the Vehicle Code of the State of California, or on the thirtieth day from and after its passage, whichever event last occurs.

(Approved by State Dept., Public Works 8-31-1973.)

§84.14.3 Commercial Vehicles on 40th Street

It is hereby declared to be unlawful to drive or allow to be driven any commercial vehicle which has a gross vehicle weight of 10,000 pounds or greater on that portion of 40th Street located between Interstate 805 and Interstate 8 excepting therefrom those vehicles subject to the provisions of section 1031 to 1036, inclusive, of the Public Utilities Code.

The alternate routes which remain unrestricted as to weight limits are Interstate 805 to Interstate 8 as more particularly described on a map on file in the office of the City Clerk as Document No. OO-16536.

(“Commercial Vehicles on 40th Street” added 11-12-1985 by O-16536 N.S.)

§84.15 Cemetery Traffic Regulation

- (a) It shall be unlawful to operate any vehicle upon any road or drive in any City-owned cemetery at a speed in excess of 15 miles per hour.
- (b) Unless making deliveries or loading upon City-owned cemetery property, it shall be unlawful to drive or have any dray, truck, wagon, cart or other motor vehicle carrying or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand, soil or any article of trade or commerce or any offensive article or material whatsoever upon any road or drive in any City-owned cemetery except such road or drive as may be specially provided or designated for such use.

(“Cemetery Traffic Regulation” added 1-6-1959 by O-8035 N.S.)

§84.16 Trespassing on Mt. Hope Cemetery

It shall be unlawful for any person to come onto Mt. Hope Cemetery property for any purposes other than those involving burials or funerals or involving the visiting of a gravesite at the cemetery.

Signs shall be posted at intervals not less than three to the mile along all exterior boundaries and at all roads and sidewalks entering the cemetery, which signs shall contain the following language:

“It is unlawful for any person to come onto Mt. Hope Cemetery property for purposes other than those involving burials or funerals or the visiting of gravesites.”
(“Trespassing on Mt. Hope Cemetery” added 5-16-1988 by O-17092 N.S.)

§84.17 Food and Beverage Prohibited on any Vehicle Operated as Common Carrier

It shall be unlawful to consume any food or beverage on any vehicle operated as a common carrier by the San Diego Transit Corporation or the San Diego Metropolitan Transportation Development Board or any successor in interest.

(Renumbered from former Section 81.11 on 8-5-2013 by O-20281 N.S.; effective 9-4-2013.)

§84.18 Operation of Motorized Transportation Devices on Boardwalks Prohibited

- (a) *Motorized transportation device* means any motorized device used for personal transportation, whether rented or owned. *Motorized transportation device* includes: *shared mobility devices, electric bicycles, motorized bicycles, and motorized scooters* as defined in section 83.0302; *electric personal assistive mobility devices* as defined in section 83.0402; and any other motorized device that state law permits local agencies to regulate, except motorized devices used to assist a physically disabled person.
- (b) It is unlawful for any *person* to operate any *motorized transportation device* in the following locations:
 - (1) on the public walkway on Ocean Front Walk in Mission Beach, beginning at the South Mission Beach Jetty northward to the terminus of the public walkway at Ocean Boulevard at Law Street in Pacific Beach;
 - (2) on the public walkway on the west side of Mission Bay Park from San Diego Place (adjacent to the South Mission Beach Jetty) to Corona Oriente Road (terminus of Crown Point Park), known as Bayside Walk;
 - (3) on the public walkway on the east side of Mission Bay Park from De Anza Road southward to the South Shores Boat Launch and Park; and
 - (4) on the boardwalk from Avenida De La Playa (adjacent to La Jolla Shores) north to the terminus of Kellogg Park at its northeast corner.
- (c) The prohibition in section 84.18 shall not apply to any physically disabled person using a *motorized transportation device* in these locations.
- (d) The prohibition in section 84.18 shall not apply to any employee, agent, or officer of the City while engaging in law enforcement activities.

(“Operation of Motorized Transportation Devices on Boardwalks Prohibited” added 1-30-2020 by O-21170 N.S.; effective 2-29-2020.)