

# House Study Bill 549

## Bill Text

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1 1 Section 1. Section [321.384](#), Code 1999, is amended to read  
1 2 as follows:  
1 3 321.384 WHEN LIGHTED LAMPS REQUIRED.  
1 4 1.

~~Every~~

- A motor vehicle operated upon a highway within

1 5

~~the~~

- this state

~~,~~  
- shall display lighted headlamps as provided in

1 6 section 321.415 at any time from sunset to sunrise, at any

1 7 time it is raining, snowing, sleet, or hailing, and at such

1 8 other times when

~~conditions such as fog, snow, sleet, or rain~~

-

1 9

~~provide~~

- visibility is impaired by weather, smoke, fog, or

1 10 other conditions or there is insufficient lighting to render

1 11 clearly discernible persons and vehicles on the highway at a

1 12 distance of five hundred feet ahead,

~~shall display lighted~~

-

1 13

~~head lamps as provided in section 321.415,~~

- subject to

1 14 exceptions with respect to parked vehicles

~~as hereinafter~~

-

1 15

~~stated~~

- pursuant to this chapter.

1 16 2.

~~Whenever~~

- A requirement

~~is hereinafter declared as to~~

-

1 17 regarding the distance from which certain lamps and devices

1 18 shall render objects visible or within which such lamps or

1 19 devices shall be visible

~~, said provisions~~

- shall apply during

1 20 the times stated in subsection 1

~~of this section~~

- upon a

1 21 straight level unlighted highway under normal atmospheric  
1 22 conditions unless a different time or condition is expressly  
1 23 stated.

1 24 Sec. 2. WARNING CITATIONS. During the first six months  
1 25 following the effective date of this Act, peace officers shall  
1 26 issue only warning citations for the following:

1 27 1. For motor vehicles not displaying lighted headlamps at  
1 28 any time when precipitation or other conditions, except for  
1 29 darkness, that limit visibility exist as required by section  
1 30 321.384, subsection 1, as amended in this Act.

1 31 2. For persons violating other lighting provisions in  
1 32 chapter 321 which require the use of certain lights when  
1 33 precipitation or other conditions, except for darkness, that  
1 34 limit visibility exist, as required by section 321.384,  
1 35 subsection 1, as amended in this Act.

2 1 EXPLANATION

2 2 This bill amends Code section 321.384 to require a motor  
2 3 vehicle to display lighted headlights at any time when  
2 4 precipitation or other conditions that limit visibility exist.  
2 5 The changes made by the bill relating to the times when  
2 6 headlight use is required also apply by reference to other  
2 7 required uses of lights on roadways, including the use of  
2 8 certain clearance and identification lights on motor trucks  
2 9 and certain trailers and semitrailers in Code section 321.392;  
2 10 the use of certain lights on projecting loads in Code section  
2 11 321.394; the use of lights on certain parked vehicles in Code  
2 12 section 321.395; the use of lights on bicycles in Code section  
2 13 321.397; the use of certain lights on certain other vehicles  
2 14 in Code section 321.398; the required method of headlight  
2 15 usage in Code section 321.415; and the number of driving lamps  
2 16 required or permitted in Code section 321.419.

2 17 Violations of these provisions are simple misdemeanors  
2 18 punishable primarily by scheduled fines of between \$10 and \$25  
2 19 under Code section 805.8. The bill also provides that during  
2 20 the first six months following enactment, violations of these  
2 21 provisions, other than violations for failure to use the  
2 22 required lights due to darkness, will only result in warning  
2 23 citations.

2 24 LSB 5853HC 78

2 25 nh/cls/14