

FEB 26 2003  
TRANSPORTATION

HOUSE FILE 322  
BY HEATON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to windshield wiper operation and the use of  
2 certain vehicle lights and making a penalty applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 322

1 Section 1. Section 321.384, Code 2003, is amended to read  
2 as follows:

3 321.384 WHEN LIGHTED LAMPS REQUIRED.

4 1. Every A motor vehicle operated upon a highway within  
5 the this state, shall display lighted headlamps as provided in  
6 section 321.415 at any time from sunset to sunrise, at any  
7 time the motor vehicle's windshield wipers are in continuous  
8 operation, and at such other times when conditions such as  
9 fog, snow, sleet, or rain provide insufficient lighting to  
10 render clearly discernible persons and vehicles on the highway  
11 at a distance of five hundred feet ahead, ~~shall display~~  
12 ~~lighted-head-lamps-as-provided-in-section-321-415~~, subject to  
13 exceptions with respect to parked vehicles ~~as hereinafter~~  
14 ~~stated~~ under this chapter.

15 2. Whenever A requirement ~~is hereinafter declared as to~~  
16 ~~regarding~~ the distance from which certain lamps and devices  
17 shall render objects visible or within which such lamps or  
18 devices shall be visible, ~~said provisions~~ shall apply during  
19 the times stated in subsection 1 ~~of this section~~ upon a  
20 straight level unlighted highway under normal atmospheric  
21 conditions unless a different time or condition is expressly  
22 stated.

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

26 1. Motor vehicles not displaying lighted headlamps at any  
27 time the motor vehicle's windshield wipers are in continuous  
28 operation as required by section 321.384, subsection 1, as  
29 amended in this Act.

30 2. Persons violating other lighting provisions in chapter  
31 321 which require the use of certain lights at any time the  
32 motor vehicle's windshield wipers are in continuous operation  
33 as required by section 321.384, subsection 1, as amended in  
34 this Act.

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EXPLANATION

1 This bill amends Code section 321.384 by requiring a motor  
2 vehicle to display lighted headlights at any time when the  
3 vehicle's wipers are in continuous operation. Due to current  
4 Code references to Code section 321.384, the bill also  
5 requires the use of certain lights on other types of vehicles  
6 while the vehicle's wipers are in operation. A violation of  
7 these provisions is a simple misdemeanor punishable by a  
8 scheduled fine of \$20 under Code section 805.8A. The bill  
9 also provides that during the first six months following  
10 enactment, violations of these provisions will only result in  
11 warning citations.

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