

House File 2032 - Introduced

HOUSE FILE 2032

BY FISHER

A BILL FOR

1 An Act requiring the use of lighted headlamps on motor vehicles
2 at all times of operation, providing penalties, and making
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.235A, subsection 3, Code 2020, is
2 amended to read as follows:

3 3. A person shall not operate an electric personal assistive
4 mobility device at the times specified in section 321.384,
5 subsection 2, unless the person or the electric personal
6 assistive mobility device is equipped with a headlight visible
7 from the front of the electric personal assistive mobility
8 device and at least one red reflector visible from the rear of
9 the electric personal assistive mobility device.

10 Sec. 2. Section 321.384, Code 2020, is amended to read as
11 follows:

12 **321.384 When lighted lamps required.**

13 1. Every motor vehicle upon a highway within the state,
14 ~~at any time from sunset to sunrise, and at such other times~~
15 ~~when conditions such as fog, snow, sleet, or rain provide~~
16 ~~insufficient lighting to render clearly discernible persons~~
17 ~~and vehicles on the highway at a distance of five hundred~~
18 ~~feet ahead,~~ shall, at all times, display lighted headlamps as
19 provided in section 321.415, subject to exceptions with respect
20 to parked vehicles as provided in this chapter, or unless
21 otherwise provided for in subsection 2.

22 2. Notwithstanding subsection 1, certain lighting devices,
23 as designated in this chapter, shall be displayed at all times
24 from sunset to sunrise, and at such other times when conditions
25 such as fog, snow, sleet, or rain provide insufficient lighting
26 to render clearly discernible persons and vehicles on the
27 highway at a distance of five hundred feet ahead.

28 ~~2.~~ 3. Whenever a A requirement is established in this
29 chapter ~~as to~~ regarding the distance from which certain lamps
30 and devices shall render objects visible or within which such
31 lamps or devices shall be visible, ~~that requirement shall apply~~
32 during the times stated in subsection ~~1 of this section~~ 2 upon
33 a straight level unlighted highway under normal atmospheric
34 conditions unless a different time or condition is expressly
35 stated.

1 4. A person convicted of a violation of this section is
2 guilty of a simple misdemeanor punishable as a scheduled
3 violation under section 805.8A, subsection 3, paragraph "h".
4 However, the officer shall issue a warning memorandum to the
5 person in lieu of a citation if all of the following conditions
6 are met:

7 a. The person committed the violation at any time from
8 sunrise to sunset.

9 b. The person committed the violation when conditions
10 such as fog, snow, sleet, or rain were not present to provide
11 insufficient lighting to render clearly discernible persons
12 and vehicles on the highway at a distance of five hundred feet
13 ahead.

14 c. The violation is the person's first violation of this
15 section.

16 d. The person has not previously been issued a warning
17 memorandum pursuant to this subsection.

18 Sec. 3. Section 321.392, unnumbered paragraph 1, Code 2020,
19 is amended to read as follows:

20 Every motor truck, and every trailer or semitrailer of over
21 three thousand pounds gross weight, shall be equipped with the
22 following lighting devices and reflectors in addition to other
23 requirements of [this chapter](#), and such devices shall be lighted
24 at the times mentioned in [section 321.384](#), subsection 2.

25 Sec. 4. Section 321.394, Code 2020, is amended to read as
26 follows:

27 **321.394 Lamp or flag on projecting load.**

28 Whenever the load upon any vehicle extends to the rear four
29 feet or more beyond the bed or body of such vehicle there
30 shall be displayed at the extreme rear end of the load, at the
31 times specified in [section 321.384](#), subsection 2, a red light
32 or lantern plainly visible from a distance of at least five
33 hundred feet to the sides and rear. The red light or lantern
34 required under [this section](#) shall be in addition to the red
35 rear light required upon every vehicle. At any other time

1 there shall be displayed at the extreme rear end of such load a
2 red flag or cloth not less than sixteen inches square.

3 Sec. 5. Section 321.395, Code 2020, is amended to read as
4 follows:

5 **321.395 Lamps on parked vehicles.**

6 Whenever a vehicle is parked or stopped upon a roadway
7 or shoulder adjacent to the roadway, outside of a business
8 district whether attended or unattended during the times
9 mentioned in [section 321.384, subsection 2](#), such vehicle shall
10 be equipped with one or more lamps which shall exhibit a white
11 or amber light on the roadway side visible from a distance
12 of five hundred feet to the front of such vehicle and a red
13 light visible from a distance of five hundred feet to the
14 rear, except that local authorities may provide by ordinance
15 or resolution that no lights need be displayed upon any such
16 vehicle when stopped or parked in accordance with local parking
17 regulations upon a highway where there is sufficient light to
18 reveal any person or object within a distance of five hundred
19 feet upon such highway. Any lighted headlamps upon a parked
20 vehicle shall be depressed or dimmed.

21 Sec. 6. Section 321.397, Code 2020, is amended to read as
22 follows:

23 **321.397 Lamps on bicycles.**

24 Every bicycle shall be equipped with a lamp on the front
25 exhibiting a white light, at the times specified in section
26 [321.384, subsection 2](#), visible from a distance of at least
27 three hundred feet to the front and with a lamp on the rear
28 exhibiting a red light visible from a distance of three hundred
29 feet to the rear; except that a red reflector may be used in
30 lieu of a rear light. A peace officer riding a police bicycle
31 is not required to use either front or rear lamps if duty so
32 requires.

33 Sec. 7. Section 321.398, Code 2020, is amended to read as
34 follows:

35 **321.398 Lamps on other vehicles and equipment.**

1 All vehicles, including animal-drawn vehicles and including
2 those referred to in [section 321.383](#) not ~~hereinbefore~~ otherwise
3 specifically required to be equipped with lamps, shall at the
4 times specified in [section 321.384](#), subsection 2, be equipped
5 with at least one lighted lamp or lantern exhibiting a white
6 light visible from a distance of five hundred feet to the front
7 of such vehicle and, except for animal-drawn vehicles, with a
8 lamp or lantern exhibiting a red light visible from a distance
9 of five hundred feet to the rear. Animal-drawn vehicles shall
10 be equipped with a flashing amber light visible from a distance
11 of five hundred feet to the rear of the vehicle during the time
12 specified in [section 321.384](#), subsection 2.

13 Sec. 8. Section 321.405, Code 2020, is amended to read as
14 follows:

15 **321.405 Self-illumination.**

16 All mechanical signal devices shall be self-illuminated when
17 in use at the times mentioned in [section 321.384](#), subsection 2.

18 Sec. 9. Section 321.415, Code 2020, is amended to read as
19 follows:

20 **321.415 Required usage of lighting devices.**

21 1. Whenever a motor vehicle is being operated on a roadway
22 or shoulder ~~during the times specified in [section 321.384](#)~~, the
23 driver shall use a distribution of light, or composite beam,
24 directed high enough and of sufficient intensity to reveal
25 persons and vehicles at a safe distance in advance of the
26 vehicle, subject to the following requirements and limitations:

27 a. Where ambient sunlight is of sufficient intensity to
28 reveal persons and vehicles at a safe distance in advance of
29 the vehicle without the use of lighting devices, the lowermost
30 distribution of light, or composite beam, specified in section
31 321.409, subsection 1, paragraph "b", shall be used.

32 ~~a.~~ b. Whenever a driver of a vehicle approaches an oncoming
33 vehicle within one thousand feet, the driver shall use a
34 distribution of light, or composite beam, so aimed that the
35 glaring rays are not projected into the eyes of the oncoming

1 driver. The lowermost distribution of light, or composite
2 beam, specified in [section 321.409, subsection 1](#), paragraph
3 "b", shall be deemed to avoid glare at all times, regardless of
4 road contour and loading.

5 ~~b.~~ c. Whenever the driver of a vehicle follows another
6 vehicle within four hundred feet to the rear, except when
7 engaged in the act of overtaking and passing, the driver shall
8 use a distribution of light permissible under [this chapter](#)
9 other than the uppermost distribution of light specified in
10 [section 321.409, subsection 1, paragraph "a"](#).

11 2. The provisions of [subsection 1](#), paragraphs "~~a~~" "b" and
12 "~~b~~" "c", do not apply to motorcycles or motorized bicycles being
13 operated between sunrise and sunset.

14 Sec. 10. [Section 321.418, Code 2020](#), is amended to read as
15 follows:

16 **321.418 Alternate road-lighting equipment.**

17 Any motor vehicle may be operated ~~under the conditions~~
18 ~~specified in [section 321.384](#)~~ when while equipped with two
19 lighted lamps upon the front thereof capable of revealing
20 persons and objects seventy-five feet ahead under the
21 conditions specified in [section 321.384, subsection 2](#), in
22 lieu of lamps required in [sections 321.409 and 321.415](#), or
23 [section 321.417](#), provided, however, that at no time shall it be
24 operated at a speed in excess of twenty miles per hour.

25 Sec. 11. [Section 321.419, Code 2020](#), is amended to read as
26 follows:

27 **321.419 Number of driving lamps required or permitted.**

28 At all times ~~specified in [section 321.384](#)~~ at least two
29 lighted lamps, except where one only is permitted, shall be
30 displayed, one on each side at the front of every motor vehicle
31 except when such vehicle is parked subject to the regulations
32 governing lights on parked vehicles.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 Current law requires the use of lighted headlamps and
2 certain other lighting devices at any time from sunset to
3 sunrise, and at such other times when conditions such as fog,
4 snow, sleet, or rain provide insufficient lighting to render
5 clearly discernible persons and vehicles on the highway at a
6 distance of 500 feet ahead.

7 This bill instead requires motor vehicles to display lighted
8 headlamps at all times of operation on a roadway or shoulder.
9 The scheduled fine for a violation of this provision remains
10 \$30. However, the person shall be issued a warning memorandum
11 in lieu of a citation if the violation is the person's first
12 violation, the person has not previously been issued a warning
13 memorandum, and the person committed the violation at any
14 time from sunrise to sunset where conditions such as fog,
15 snow, sleet, or rain were not present to provide insufficient
16 lighting to render clearly discernible persons and vehicles
17 on the highway at a distance of 500 feet ahead. The bill
18 also requires that, where ambient sunlight is of sufficient
19 intensity to reveal persons and vehicles at a safe distance in
20 advance of the vehicle without the use of lighting devices,
21 the lowermost distribution of light or composite beam shall be
22 used. The scheduled fine for a violation of this provision
23 remains \$30.

24 The use of certain other lighting devices remains mandatory
25 only at all times from sunset to sunrise, and at such other
26 times when conditions such as fog, snow, sleet, or rain provide
27 insufficient lighting to render clearly discernible persons and
28 vehicles on the highway at a distance of 500 feet ahead.