

Senate File 47 - Introduced

SENATE FILE 47
BY WHITING

A BILL FOR

1 An Act relating to lighted lamps on bicycles, making penalties
2 applicable, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.385A, Code 2021, is amended to read
2 as follows:

3 **321.385A Citation for unlighted headlamp, rear lamp, ~~or~~ rear**
4 **registration plate light, or bicycle lamp.**

5 1. *a.* A citation issued for failure to have headlamps
6 as required under [section 321.385](#) shall first provide for a
7 ~~seventy-two-hour~~ seventy-two-hour period within which the
8 person charged with the violation shall replace or repair the
9 headlamp.

10 *b.* A citation issued for failure to have rear lamps as
11 required under [section 321.387](#) or a rear registration plate
12 light as required under [section 321.388](#) shall first provide for
13 a ~~seventy-two-hour~~ seventy-two-hour period within which the
14 person charged with the violation shall replace or repair the
15 lamps or light.

16 *c.* A citation issued for failure to have a front or rear
17 lamp on a bicycle as required under section 321.397 shall first
18 provide for a seventy-two-hour period within which the person
19 charged with the violation shall replace or repair the lamp.

20 2. If the person complies with the directive to replace
21 or repair the headlamp, rear ~~lamps~~ lamp, ~~or~~ rear registration
22 plate light, or bicycle lamp within the allotted time period,
23 the citation shall be expunged. If the person fails to
24 comply within the allotted time period, the citation shall be
25 processed in the same manner as other citations.

26 3. A written notice of replacement or repair relating
27 to a citation issued under [this section](#) shall include a
28 ~~written notice of replacement or repair which~~ shall indicate
29 the date of replacement or repair and the manner in which
30 the replacement or repair occurred and ~~which~~ shall be
31 returned to the issuing authority within the ~~seventy-two-hour~~
32 seventy-two-hour time period.

33 Sec. 2. Section 321.397, Code 2021, is amended to read as
34 follows:

35 **321.397 Lamps on bicycles.**

1 ~~Every~~ At the times specified in section 321.384, every
2 bicycle shall be equipped with a lamp on the front exhibiting a
3 white light, ~~at the times specified in section 321.384,~~ visible
4 from a distance of at least three hundred feet to the front and
5 with a lamp on the rear exhibiting a red light visible from a
6 distance of at least three hundred feet to the rear, ~~except~~
7 ~~that a red reflector may be used in lieu of a rear light.~~ A
8 peace officer riding a police bicycle is not required to use
9 either front or rear lamps if duty so requires.

10 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
11 2022.

12 EXPLANATION

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

15 Current law requires a bicycle to have a front lighted lamp
16 and either a rear lighted lamp or a rear reflector at any time
17 from sunset to sunrise, and at such other times when conditions
18 such as fog, snow, sleet, or rain provide insufficient lighting
19 to render clearly discernible persons and vehicles on the
20 highway at a distance of 500 feet ahead.

21 This bill requires every bicycle to have a front and rear
22 lighted lamp during the stated periods of time, and strikes the
23 provision allowing a bicycle to be equipped a rear reflector
24 in lieu of the rear lighted lamp. The scheduled fine for
25 violating this provision is \$35. However, the bill provides
26 that a citation issued for failure to have a front or rear lamp
27 on a bicycle must first provide for a 72-hour period within
28 which the person charged with the violation shall replace or
29 repair the lamp. If the person complies with the directive to
30 replace or repair the lamp, the citation must be expunged.

31 The bill takes effect January 1, 2022.