

1 HB333
2 189008-1
3 By Representatives Whorton (R), Pettus and Hanes
4 RFD: Public Safety and Homeland Security
5 First Read: 30-JAN-18

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8 SYNOPSIS: Existing law requires lighted headlamps on
9 vehicles from a half hour after sunset to a half
10 hour before sunrise.

11 This bill would require lighted headlamps
12 from sunset to sunrise.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

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18 To amend Section 32-5-240 of the Code of Alabama
19 1975, relating to required lighting on vehicles; to require
20 lighted headlamps from sunset to sunrise.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Section 32-5-240 of the Code of Alabama
23 1975, is amended to read as follows:

24 "§32-5-240.

25 "(a) When lighted headlamps required.

26 "(1) Every vehicle upon a highway within this state,
27 except a parked vehicle, which shall be subject to Section

1 32-5-244, shall display lighted lamps and illuminating devices
2 required by this section for different classes of vehicles at
3 the following times:

4 "a. From ~~a half hour after~~ sunset to ~~a half hour~~
5 ~~before~~ sunrise.

6 "b. At any time when the windshield wipers of the
7 vehicle are in use because of rain, sleet, or snow, except
8 when the use is intermittent because of misting rain, sleet,
9 or snow.

10 "c. At any time when there is not sufficient light
11 to render clearly discernible persons and vehicles on the
12 highway at a distance of 500 feet.

13 "(2) Notwithstanding subdivision (1), whenever motor
14 vehicles or other vehicles are operated in combination during
15 a time that lamps and illuminating devices are required to be
16 lighted, any lamp, other than a tail lamp, that, by reason of
17 its location on a vehicle in the combination would be obscured
18 by another vehicle of the combination, need not be lighted.
19 This subdivision shall not affect the requirement that lighted
20 clearance lamps be displayed on the front of the foremost
21 vehicle required to have clearance lamps or that all lamps
22 required on the rear of the rearmost vehicle of any
23 combination shall be lighted.

24 "(b) Head lamps on motor vehicles.

25 "(1) Every motor vehicle, other than a motorcycle or
26 motor-driven cycle, shall be equipped with at least two but
27 not more than four head lamps, with at least one but not more

1 than two on each side of the front of the motor vehicle. The
2 head lamps shall comply with the requirements and limitations
3 of Section 32-5-242.

4 "(2) Every motorcycle and every motor-driven cycle
5 shall be equipped with at least one and not more than two head
6 lamps which shall comply with the requirements and limitations
7 of Section 32-5-242.

8 "(3) Every head lamp upon every new motor vehicle
9 sold after January 1, 1950, including every motorcycle and
10 motor-driven cycle, shall be located at a height measured from
11 the center of the head lamp of not more than 54 inches nor
12 less than 24 inches to be measured as set forth in Section
13 32-5-242.

14 "(c) Tail lamps.

15 "(1) Every motor vehicle, trailer, semitrailer, and
16 pole trailer and any other vehicle which is being drawn at the
17 end of a train of vehicles shall be equipped with at least one
18 tail lamp mounted on the rear which, when lighted as required,
19 emits a red light plainly visible from a distance of 500 feet
20 to the rear. When vehicles are drawn in a train, only the tail
21 lamp on the rearmost vehicle need actually be seen from the
22 distance specified.

23 "(2) Every tail lamp upon every vehicle shall be
24 located at a height of not more than 60 inches nor less than
25 20 inches to be measured as set forth in Section 32-5-242.

26 "(3) Every motor vehicle shall have a tail lamp or a
27 separate lamp so constructed and placed as to illuminate with

1 a white light the rear registration plate and render it
2 clearly legible from a distance of 50 feet to the rear. Any
3 tail lamp or tail lamps, together with any separate lamp for
4 illuminating the rear registration plate, shall be so wired as
5 to be lighted whenever the head lamps or auxiliary driving
6 lamps are lighted.

7 "(d) Additional equipment required on certain
8 vehicles. In addition to other equipment required in this
9 article, the following vehicles shall be equipped in the
10 following manner:

11 "(1) On every bus or truck, whatever its size, the
12 following shall be on the rear: Two red reflectors, one at
13 each side, and one stop light.

14 "(2) On every bus or truck 80 inches or more in
15 overall width, in addition to the requirements in subdivision
16 (1):

17 "a. On the front, two clearance lamps, one at each
18 side.

19 "b. On the rear, two clearance lamps, one on each
20 side.

21 "c. On each side, two side marker lamps, one at or
22 near the front and one at or near the rear.

23 "d. On each side, two reflectors, one at or near the
24 front and one at or near the rear.

25 "(3) On every truck tractor:

26 "a. On the front, two clearance lamps, one at each
27 side.

1 "b. On the rear, one stop light.

2 "(4) On every trailer or semitrailer having a gross
3 weight in excess of 3,000 pounds:

4 "a. On the front, two clearance lamps, one at each
5 side.

6 "b. On each side, two side marker lamps, one at or
7 near the front and one at or near the rear.

8 "c. On each side, two reflectors, one at or near the
9 front and one at or near the rear.

10 "d. On the rear, two clearance lamps, one at each
11 side, also two reflectors, one at each side, and one stop
12 light.

13 "(5) On every pole trailer having a gross weight in
14 excess of 3,000 pounds gross weight:

15 "a. On each side, one side marker lamp and one
16 clearance lamp which may be in combination, to show to the
17 front, side, and rear.

18 "b. On the rear of the pole trailer or load, two
19 reflectors, one at each side.

20 "(6) On every trailer, semitrailer, or pole trailer
21 having a gross weight of 3,000 pounds or less: On the rear,
22 two reflectors, one on each side. If the load or dimensions of
23 any trailer or semitrailer obscures the stop light on the
24 towing vehicle, the towed vehicle shall also be equipped with
25 one stop light.

26 "(e) Lamps on other vehicles and equipment. All
27 vehicles, including animal-drawn vehicles and those for which

1 special permits have been issued under authority of Section
2 32-9-29, not otherwise specifically required to be equipped
3 with lamps, shall at the times specified in subsection (a) of
4 this section be equipped with at least one lighted lamp or
5 lantern exhibiting a white light visible from a distance of
6 500 feet to the front of the vehicle and with a lamp or
7 lantern exhibiting a red light visible from a distance of 500
8 feet to the rear.

9 "(f) Stop lamps required on new motor vehicles. It
10 is unlawful for any person to sell any new motor vehicle,
11 including any motorcycle or motor-driven cycle, in this state
12 or for any person to drive the vehicle on the highways unless
13 it is equipped with a stop lamp meeting the requirements of
14 Section 32-5-242.

15 "(g) New motor vehicles to be equipped with
16 reflectors.

17 "(1) No new motor vehicle first sold on or after
18 January 1, 1950, other than a truck tractor, motorcycle, or
19 motor-driven cycle shall be operated on a highway unless the
20 vehicle carries on the rear, either as a part of the tail
21 lamps or separately, two red reflectors. Every motorcycle and
22 every motor-driven cycle shall carry at least one reflector,
23 meeting the requirements of this section. Vehicles
24 specifically provided for in subsection (d) of this section
25 shall be equipped with reflectors as required by that
26 subsection.

1 "(2) These reflectors shall be mounted on the
2 vehicle at a height not less than 20 inches nor more than 60
3 inches measured as set forth in subsection (a) of Section
4 32-5-242, shall be of such size and characteristics, and shall
5 be so mounted as to be visible at night from 300 feet."

6 Section 2. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.