

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

3

HOUSE BILL 416
Committee Substitute Favorable 5/5/89
Judiciary II Senate Committee Substitute Adopted 6/19/90

Short Title: Headlights/Working Speedometer.

(Public)

Sponsors:

Referred to:

March 1, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT HEADLIGHTS BE ILLUMINATED WHEN WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY AND TO REQUIRE MOTOR VEHICLES TO HAVE PROPERLY WORKING SPEEDOMETERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-129(a) reads as rewritten:

"(a) When Vehicles Must Be Equipped. – Every vehicle upon a highway within this State shall be equipped with lighted headlamps and rear lamps as required for different classes of vehicles, and subject to exemption with reference to lights on parked vehicles as declared in G.S. 20-134:

(1) During the period from sunset to sunrise,

(2) When there is not sufficient light to render clearly discernible any person on the highway at a distance of 400 feet ahead, or

~~(3) When the lack of visibility through the windshield requires the windshield wipers to be activated and the vehicle is within a school zone during the regular school hours of the school year.~~

(4) At any other time when windshield wipers are in use as a result of smoke, fog, rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern

1 persons and vehicles on the street and highway at a distance of 500
2 feet ahead, provided, however, the provisions of this subdivision shall
3 not apply to instances when windshield wipers are used intermittently
4 in misting rain, sleet, or snow. Any person violating this subdivision
5 during the period from October 1, 1990, through December 31, 1991,
6 shall be given a warning of the violation only. Thereafter, any person
7 violating this subdivision shall have committed an infraction and shall
8 pay a fine of five dollars (\$5.00) and shall not be assessed court costs.
9 No drivers license points, insurance points or premium surcharge shall
10 be assessed on account of violation of this subdivision and no
11 negligence or liability shall be assessed on or imputed to any party on
12 account of a violation of this subdivision. The Commissioner of
13 Motor Vehicles and the Superintendent of Public Instruction shall
14 incorporate into driver education programs and driver licensing
15 programs instruction designed to encourage compliance with this
16 subdivision as an important means of reducing accidents by making
17 vehicles more discernible during periods of limited visibility."

18 Sec. 2. Article 3 of Chapter 20 of the General Statutes is amended by adding
19 the following new section to read:

20 **"§ 20-123.2 Speedometer.**

21 (a) Every self-propelled motor vehicle when operated on the highway shall be
22 equipped with a speedometer which shall be maintained in good working order.

23 (b) Any person violating this section shall have committed an infraction and may
24 be ordered to pay a penalty of not more than twenty-five dollars (\$25.00). No drivers
25 license points, insurance points or premium surcharge shall be assessed on or imputed to
26 any party on account of a violation of this section."

27 Sec. 3. This act shall become effective October 1, 1990.