

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 159

H.P. 114

House of Representatives, January 25, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative O'DEA of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Require the Use of Headlights During Inclement Weather
While Windshield Wipers are in Use.**



Be it enacted by the People of the State of Maine as follows:

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4 **Sec. 1. 29 MRSA §1071, first ¶**, as amended by PL 1969, c. 138, §4, is further amended to read:

6 Every vehicle, whether stationary or in motion, on any
8 public way or bridge shall ~~must~~ have attached to it a light or
10 lights ~~headlights and taillights~~ so displayed as to be visible
12 from the front and rear thereof during the period from 1/2 hour
14 after sunset to 1/2 hour before sunrise, ~~when it is raining or~~
16 during any other time when extended use of windshield wipers is
18 necessary, and at any other time when, due to insufficient light
20 or unfavorable atmospheric conditions, caused by fog or
22 otherwise, persons and vehicles on the highways ~~public ways or~~
24 bridges are not clearly discernible at a distance of 500 feet
26 ahead. This section shall ~~does~~ not apply to any vehicle which
28 that is designed to be propelled by hand, nor to any ~~parked~~
30 vehicle ~~not in motion and parked~~ or a vehicle beside a curb in a
32 place and under conditions where there is sufficient artificial
34 light to make such ~~that~~ vehicle clearly visible from a distance
36 not less than ~~of at least~~ 100 feet in each direction. "Sunrise"
38 and "sunset" shall ~~be~~ are the time ~~times~~ given in the Maine
40 Farmers' Almanac.

24 **Sec. 2. 29 MRSA §1366, 2nd ¶**, as amended by PL 1981, c. 98,
26 §9, is further amended to read:

28 Every headlamp, upon every motor vehicle, including every
30 motorcycle and motor driven cycle, shall must be located at a
32 height measured from the center of the headlamp of not more than
34 54 inches nor less than 22 inches above the level surface upon
36 which said the vehicle stands. Headlamps on snow plows may be
38 located at a height greater than 54 inches above said the level
40 surface. All such headlamps shall must be equipped with lenses
42 or reflectors that emit only a white beam of light. The lamps
44 and lights shall must conform to and operate in accordance with
46 section 1071 and the rules and regulations promulgated adopted
48 from time to time by the Commissioner of Public Safety and shall
50 be lighted during the period from 1/2 hour after sunset to 1/2
52 hour before sunrise, and at any time when, due to insufficient
54 light or unfavorable atmospheric condition, caused by fog or
56 otherwise, persons in vehicles on the highway are not clearly
58 discernible for a distance of 500 feet ahead, except as provided
60 in section 1755.

STATEMENT OF FACT

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This bill requires that motor vehicle headlamps be lighted when a motor vehicle is operated in the rain or at other times when extended use of windshield wipers is necessary. The bill also removes redundant language from another section of law.