

JAN 27 2010

S.B. NO. 2882

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that inclement weather
2 reduces visibility, making driving more difficult. Studies have
3 shown that the use of motor vehicle headlights in inclement
4 weather increases highway safety by making these vehicles more
5 easily discernable. Moreover, daytime accidents that occur
6 during inclement weather are reduced by as much as seventy per
7 cent when headlights are in operation.

8 The legislature further finds that legislatures in twenty-
9 eight states have enacted laws requiring motorists to turn on
10 their headlights when inclement weather affects visibility or
11 when windshield wipers are in continuous operation, even during
12 daylight hours, and that a number of other states are
13 contemplating the adoption of similar laws.

14 The purpose of this Act is to:

- 15 (1) Require the use of headlights on all motor vehicles,
16 motorcycles, motor scooters, and motorized bicycles
17 during periods of inclement weather when visibility is
18 reduced to a distance of two hundred feet or less;



- 1 (2) Require the use of headlights during conditions
2 requiring the continuous use of a motor vehicle's
3 windshield wipers;
- 4 (3) Increase the penalty for the use or operation of any
5 motor vehicle not equipped with lights as required by
6 law; and
- 7 (4) Prohibit the use and operation of motorcycles, motor
8 scooters, and motorized bicycles not equipped with
9 lights as required by law, and provide a penalty for
10 noncompliance.

11 SECTION 2. Section 291-25, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§291-25 Lights for motor vehicles, motorcycles, motor**
14 **scooters, and motorized bicycles.** (a) From thirty minutes
15 after sunset until thirty minutes before sunrise^[7] and during
16 periods of inclement weather, every motor vehicle moving upon
17 any public highway shall carry at the front thereof at least two
18 lighted head lamps which shall display white lights of equal
19 candle power. The head lamps shall be securely mounted, not
20 less than twenty-two inches nor more than fifty-four inches
21 above the road surface when measured to the head lamp center, on
22 a rigid part of the vehicle designed specifically for head lamp



1 installation by the manufacturer, and so arranged, adjusted, and
2 constructed that, when the motor vehicle is fully loaded, any
3 pair of headlights under the conditions of use shall produce a
4 light sufficient to reveal any person, vehicle, or substantial
5 object on the highway straight ahead of the motor vehicle for a
6 distance of two hundred feet.

7 The light when measured at a distance of one hundred feet
8 directly in front of the motor vehicle, and at a height of sixty
9 inches above the level surface on which the motor vehicle
10 stands, shall not exceed two thousand four hundred apparent
11 candle power, nor shall this candle power be exceeded at a
12 greater height than sixty inches.

13 When measured at a distance of one hundred feet ahead of
14 the motor vehicle and seven feet or more to the left of the axis
15 of the same, and at a height of sixty inches above the level
16 surface on which the motor vehicle stands, the light shall not
17 exceed eight hundred apparent candle power.

18 (b) [~~During the time specified in subsection (a) 7,~~] From
19 thirty minutes after sunset until thirty minutes before sunrise
20 and during periods of inclement weather, every motorcycle, motor
21 scooter, or motorized bicycle while moving on a public highway
22 shall carry, at the front thereof, at least one lighted



1 headlight which shall give a light of such power and so
2 distributed as provided in subsection (a); provided that any
3 motorcycle, motor scooter, or motorized bicycle with a side car
4 or similar contrivance attached shall, in addition to the
5 foregoing required light, carry on the side car or similar
6 contrivance a lighted lamp visible from a point at least two
7 hundred feet ahead of the vehicle. Any headlight required by
8 this subsection shall display white light and shall be securely
9 mounted, not less than twenty-four inches nor more than fifty-
10 four inches above the road surface when measured to the
11 headlight's center on a rigid part of the vehicle designed
12 specifically for installation of a light by the manufacturer.

13 (c) As used in this section, "inclement weather" means
14 weather conditions that:

- 15 (1) Prevent the driver of a motor vehicle, motorcycle,
16 motor scooter, or motorized bicycle from clearly
17 discerning a person, vehicle, or substantial object on
18 any public street, road, or highway from a distance of
19 two hundred feet or less; or
- 20 (2) Require the continuous use of a motor vehicle's
21 windshield wipers and include but are not limited to
22 rain, snow, mist, fog, or other precipitation."



1 SECTION 3. Section 291-32, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§291-32~~ **Penalties.** (a) The use or operation of any
4 motor vehicle, motorcycle, motor scooter, or motorized bicycle
5 not equipped with lights in conformity with sections 291-25 to
6 291-31 upon the public highways is prohibited during the
7 [~~period~~] periods specified in section 291-25(a) [~~-~~] and (b).

8 (b) Whoever violates any of the provisions of this
9 section, or of sections 291-25 to 291-31, shall be fined not
10 more than [~~\$10-~~] \$25. Each violation shall be deemed a separate
11 offense, and a subsequent violation of the same provision within
12 a one-year period shall be subject to twice the fine imposed
13 upon the prior conviction therefor."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect on July 1, 2011.

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INTRODUCED BY: _____



Report Title:

Mandatory Headlight Use

Description:

Requires the use of headlights by motor vehicles, motorcycles, motor scooters, and motorized bicycles in inclement.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

