

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 416
Committee Substitute Favorable 5/5/89

Short Title: Wipers On/Headlights On.

(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.

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 persons and vehicles on the street and highway at a distance of 500 feet ahead, provided, however, the provisions of this subdivision shall not apply to instances when windshield wipers are used intermittently

1 in misting rain, sleet, or snow. Any person violating this subdivision
2 during the period from October 1, 1989, through December 31, 1990,
3 shall be given a warning of the violation only. Thereafter, any person
4 violating this subdivision shall have committed an infraction and shall
5 pay a fine of five dollars (\$5.00) and shall not be assessed court costs.
6 No drivers license points or insurance points shall be assessed on
7 account of violation of this subdivision and no negligence or liability
8 shall be assessed on or imputed to any party on account of a violation
9 of this subdivision. The Commissioner of Motor Vehicles and the
10 Superintendent of Public Instruction shall incorporate into driver
11 education programs and driver licensing programs instruction designed
12 to encourage compliance with this subdivision as an important means
13 of reducing accidents by making vehicles more discernible during
14 periods of limited visibility."

15 Sec. 2. This act shall become effective October 1, 1989.