

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 564

Short Title: Headlamps On When MV Operated.

(Public)

Sponsors: Representative Capps.

Referred to: Judiciary III.

March 12, 2001

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT HEADLAMPS BE ILLUMINATED WHENEVER  
MOTOR VEHICLE IS OPERATED.

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 the 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- (3) ~~Repealed by Session Laws 1989 (Reg. Sess., 1990), c. 822, s. 1.~~
- (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 in misting rain, sleet, or snow. Any person violating this subdivision during the period from October 1, 1990, through December 31, 1991, shall be given a warning of the violation only. Thereafter, any person violating this subdivision shall have committed an infraction and shall pay a fine of five dollars (\$5.00) and shall not be assessed court costs. No drivers license points, insurance points or premium surcharge shall be assessed on account of violation of this subdivision and no negligence or liability shall be assessed on or imputed to any party on account of a violation of this subdivision. The Commissioner of Motor~~

1                   ~~Vehieles and the Superintendent of Public Instruction shall incorporate~~  
2                   ~~into driver education programs and driver licensing programs~~  
3                   ~~instruction designed to encourage compliance with this subdivision as~~  
4                   ~~an important means of reducing accidents by making vehicles more~~  
5                   ~~discernible during periods of limited visibility.~~whenever that vehicle is  
6                   being operated."

7                   **SECTION 2.** This act becomes effective December 1, 2001.