

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 416  
Committee Substitute Favorable 5/5/89  
Judiciary II Senate Committee Substitute Adopted 6/19/90  
Fourth Edition Engrossed 6/21/90

Short Title: Headlights/Working Speedometer.

(Public)

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Sponsors:

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Referred to:

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March 1, 1989

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THAT HEADLIGHTS BE ILLUMINATED WHEN  
2 WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE  
3 DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY AND TO  
4 REQUIRE MOTOR VEHICLES TO HAVE PROPERLY WORKING  
5 SPEEDOMETERS.  
6

7 The General Assembly of North Carolina enacts:

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

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

13 (1) During the period from sunset to sunrise,

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

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

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

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

23 **"§ 20-123.2 Speedometer.**

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

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

30           Sec. 3. This act shall become effective October 1, 1990. Section 1 shall  
31 expire on June 30, 1991.