

SECOND REGULAR SESSION

HOUSE BILL NO. 921

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WALSH (Sponsor), MEINERS, SANDER, WILDBERGER,
YAEGER, WHORTON AND JOLLY (Co-sponsors).

Pre-filed December 23, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3286L.011

AN ACT

To repeal sections 307.020 and 307.040, RSMo, and to enact in lieu thereof two new sections relating to required usage of lighted lamps by motor vehicle operators, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 307.020 and 307.040, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 307.020 and 307.040, to read as follows:

307.020. As used in sections 307.020 to 307.120, unless the context requires another or
2 different construction:

3 (1) "Approved" means approved by the director of revenue and when applied to lamps
4 and other illuminating devices means that such lamps and devices must be in good working
5 order;

6 (2) "Auxiliary lamp" means an additional lighting device on a motor vehicle used
7 primarily to supplement the headlamps in providing general illumination ahead of a vehicle;

8 (3) "Headlamp" means a major lighting device capable of providing general illumination
9 ahead of a vehicle;

10 (4) "Mounting height" means the distance from the center of the lamp to the surface on
11 which the vehicle stands;

12 (5) "Multiple-beam headlamps" means headlamps or similar devices arranged so as to
13 permit the driver of the vehicle to use one of two or more distributions of light on the road;

14 (6) "Reflector" means an approved device designed and used to give an indication by
15 reflected light;

16 (7) "Single-beam headlamps" means headlamps or similar devices arranged so as to
17 permit the driver of the vehicle to use but one distribution of light on the road;

18 (8) "Vehicle" means every device in, upon or by which a person or property is or may
19 be transported upon a highway, excepting devices moved by human power or used exclusively
20 upon stationary rails or tracks;

21 (9) "When lighted lamps are required" means at any time from a half-hour after sunset
22 to a half-hour before sunrise and at any other time when there is not sufficient light to render
23 clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead.

24 **Lighted lamps shall also be required any time the weather conditions require usage of the**
25 **motor vehicle's windshield wipers to operate the vehicle in a careful and prudent manner**
26 **as defined in section 304.012, RSMo. The provisions of this section shall be interpreted to**
27 **require lighted lamps during periods of fog even if usage of the windshield wipers is not**
28 **necessary to operate the vehicle in a careful and prudent manner.**

307.040. 1. No person shall drive, move, park or be in custody of any vehicle or
2 combination of vehicles on any street or highway during the times when lighted lamps are
3 required unless such vehicle or combination of vehicles displays lighted lamps and illuminating
4 devices as hereinafter in this chapter required. No person shall use on any vehicle any approved
5 electric lamp or similar device unless the light source of such lamp or device complies with the
6 conditions of approval as to focus and rated candlepower.

7 2. Notwithstanding the provisions of section 307.120, **or any other provision of law,**
8 violation of this section shall be deemed an infraction **and any person who violates this section**
9 **as it relates to violations of the usage of lighted lamps required due to weather conditions**
10 **or fog shall only be fined ten dollars and no court costs shall be assessed.**