

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

House Bill 3053

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 14 A 11:41

FILED

BY DELEGATES HOWELL, DEAN, MAYNARD, BLAIR,

N. FOSTER, G. FOSTER, HARSHBARGER, HILL,

McGEEHAN, PAYNTER AND QUEEN

[Passed April 6, 2017; in effect ninety days from passage.]

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[Passed April 6, 2017; in effect ninety days from passage.]

1 AN ACT to amend and reenact §17C-15-2 and §17C-15-17 of the Code of West Virginia, 1931,
2 as amended, all relating to motor vehicle lighting; clarifying when certain lights are
3 functional; allowing certain lamps and lighting devices be uncovered in certain
4 circumstances; and allowing two auxiliary lamps.

Be it enacted by the Legislature of West Virginia:

1 That §17C-15-2 and §17C-15-17 of the Code of West Virginia, 1931, as amended, be
2 amended and reenacted, all to read as follows:

ARTICLE 15. EQUIPMENT.

§17C-15-2. When lighted lamps are required.

1 Every vehicle other than a school bus, motorcycle, motor-driven cycle or moped operated
2 upon a highway within this state at any time from sunset to sunrise, or during fog, smoke, rain or
3 other unfavorable atmospheric conditions, or at any other time when there is not sufficient light to
4 render clearly discernible persons and vehicles on the highway at a distance of five hundred feet
5 ahead, shall display lighted head lamps and illuminating devices as hereinafter respectively
6 required for different classes of vehicles, subject to exceptions with respect to parked vehicles as
7 provided for in subsection (c), section fifteen-c of this article. Every school bus, motorcycle, motor-
8 driven cycle and moped shall display lighted head lamps at all times when upon the highway.
9 Lighted lamps and other lighting devices that consist of multiple light-emitting diodes (LEDs) or
10 other illuminating components that function as a single lighting unit are deemed to be functional
11 so long as at least sixty-six percent of the LEDs or other illuminating components are functional:
12 *Provided*, That the lighted lamps or lighting devices must still project sufficient illumination to
13 satisfy all other requirements contained in this article.

§17C-15-17. Spot lamps and other auxiliary lamps.

1 For the purposes of this section, a lamp or lighting device meets the requirements
2 specified below so long as any portion of the illuminating surface of the lamp or lighting device is
3 within the specified range.

4 All lamps and lighting devices covered in this section may be installed so that the entire
5 lamp or lighting device exceeds forty-two inches above the level surface upon which the vehicle
6 stands so long as such lamps or lighting devices are either covered or dimmable.

7 (a) *Spot lamps.* — Any motor vehicle except a public utility company maintenance vehicle
8 may be equipped with not more than one spot lamp and every lighted spot lamp shall be so aimed
9 and used upon approaching another vehicle that no part of the high-intensity portion of the beam
10 will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than
11 one hundred feet ahead of the vehicle. A public utility company maintenance vehicle may be
12 equipped with more than one spot lamp but all lighted spot lamps shall be aimed and used in
13 conformity to the requirements of this subsection.

14 (b) *Fog lamps.* — Any motor vehicle may be equipped with not more than two fog lamps
15 mounted on the front at a height not less than twelve inches nor more than thirty inches above
16 the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded
17 none of the high-intensity portion of the light to the left of the center of the vehicle shall at a
18 distance of twenty-five feet ahead project higher than a level of four inches below the level of the
19 center of the lamp from which it comes.

20 (c) *Auxiliary passing lamp.* — Any motor vehicle may be equipped with not more than two
21 auxiliary passing lamps mounted on the front at a height not less than twenty-four inches nor more
22 than forty-two inches above the level surface upon which the vehicle stands and every auxiliary
23 passing lamp shall meet the requirements and limitations set forth in this article.

24 (d) *Auxiliary driving lamp.* — Any motor vehicle may be equipped with not more than two
25 auxiliary driving lamps mounted on the front at a height not less than sixteen inches nor more
26 than forty-two inches above the level surface upon which the vehicle stands and every such
27 auxiliary driving lamp shall meet the requirements and limitations set forth in this article.

28 (e) *Roof-mounted off-road light bar lighting device.* — Any motor vehicle may be equipped
29 with a roof-mounted off-road light bar lighting device comprised of multiple lamps: *Provided, That*

30 whenever the vehicle is operated or driven upon any road or highway of this state, the roof-
31 mounted off-road light bar lighting device shall be turned off while the vehicle is being operated
32 on any road or highway of this state.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Rayn Andrews
.....
Chairman, House Committee

Mark Hayward
.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Steph J. Harris
.....
Clerk of the House of Delegates

Clayton Bennett
.....
Clerk of the Senate

Ch. Ochs
.....
Speaker of the House of Delegates

W. B. Cantelmo
.....
President of the Senate

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SECRETARY OF STATE

The within *is approved* this the *14th*
day of *April* 2017.

Jim Justice
.....
Governor

PRESENTED TO THE GOVERNOR

APR 11 2017

Time 9:22am