

HOUSE BILL NO. 504
INTRODUCED BY D. GALLIK

A BILL FOR AN ACT ENTITLED: "AN ACT RESTRICTING THE HEIGHT OF LIGHT FROM THE HEADLIGHT OF A MOTOR VEHICLE TO NO MORE THAN 2 FEET ABOVE THE ROAD SURFACE AT A LENGTH OF 30 FEET FROM THE FRONT OF THE VEHICLE; AND AMENDING SECTION 61-9-203, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-9-203, MCA, is amended to read:

"61-9-203. Headlamps on motor vehicles. (1) A motor vehicle other than a motorcycle, quadricycle, or motor-driven cycle must be equipped with at least two headlamps, with at least one on each side of the front of the motor vehicle, that comply with the requirements and limitations set forth in this chapter.

(2) A motorcycle, quadricycle, or motor-driven cycle must be equipped with at least one and not more than two headlamps that comply with the requirements and limitations of this chapter. If a motorcycle is registered under 61-3-411 as a collector's item, it need not be equipped with headlamps; ~~however~~ However, if it is not equipped with headlamps, it may not be operated upon a highway or street from one-half hour after sunset to one-half hour before sunrise or if persons and vehicles are not clearly discernible at a distance of 500 feet. A motorcycle may be equipped with a means of modulating the high beam of its headlamps between high and low beam at a rate of 200 to 280 flashes a minute; ~~however~~ However, an operator may not modulate the headlamps at that rate during periods when headlamps are required to be lighted ~~by~~ during the times stated in 61-9-201.

(3) A headlamp upon a motor vehicle, including a motorcycle, quadricycle, and motor-driven cycle, must be located at a height, measured from the center of the headlamp, of not more than 54 inches or less than 22 inches, to be measured as provided in 61-9-202(2).

(4) When headlamps are required to be lighted ~~by~~ during the times stated in 61-9-201, a person may not operate a motor vehicle on a highway with headlamps that are composed of, covered by, or treated with a tinted or colored material, substance, system, or component that obscures the headlamps or diminishes the distance of visibility required by this section.

(5) A headlamp upon a motor vehicle, including a motorcycle, quadricycle, and motor-driven cycle, must be calibrated so that the ray of illuminated light does not have a height of more than 2 feet above the road surface at a length of 30 feet from the front of the vehicle.

~~(5)~~(6) This section does not prohibit the operation or sale of a motor vehicle the headlamps of which are composed of, covered by, or treated with a tinted or colored material, substance, system, or component with which the vehicle was sold or could have been equipped for sale when new as standard or optional equipment in compliance with federal statute or regulation governing the sale at the time of manufacture."

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