

HOUSE BILL NO. 528

INTRODUCED BY T. WELCH

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT LIGHT BARS MAY NOT BE CONSIDERED SPOT LAMPS, FOG LAMPS, OR AUXILIARY LAMPS; ALLOWING THE USE OF LIGHT BARS FOR OFF-ROAD USE ONLY; PROHIBITING A LIGHT BAR FROM SHINING LIGHT ONTO OR ACROSS A HIGHWAY; AND AMENDING SECTIONS 61-9-217 AND 61-9-225, MCA."

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

**Section 1.** Section 61-9-217, MCA, is amended to read:

**"61-9-217. Spot lamps, fog lamps, and auxiliary lamps -- light bars excluded.** (1) A motor vehicle may not be equipped with more than two spot lamps and a lighted spot lamp must be turned off upon approaching another moving vehicle from either direction.

(2) A motor vehicle may not be equipped with more than two fog lamps that provide a low, wide-angle light pattern to increase short-range visibility. Fog lamps must be mounted on the front at a height not more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle at a distance of 25 feet ahead projects higher than a level of 4 inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the requirements of this subsection may be used with lower headlamp beams as specified in 61-9-220(2). A fog lamp may not be used as a substitute for headlamps.

(3) A motor vehicle may not be equipped with more than two auxiliary driving lamps that produce a long-range, pencil-shaped light pattern and that are used to supplement the upper beams of headlamps. Auxiliary driving lamps must be mounted on the front at a height not less than 16 inches or more than 42 inches above the level surface upon which the vehicle stands. The provisions of 61-9-220 apply to a combination of headlamps and auxiliary driving lamps. An auxiliary driving lamp may not be used as a substitute for headlamps or lighted at any time the headlamps are required to be on in the low-beam position.

(4) An auxiliary off-road lamp mounted more than 42 inches above the level surface upon which the vehicle stands may not be lighted while the vehicle is operated or parked on a highway.

(5) A light bar of any size may not be considered a spot lamp, fog lamp, or auxiliary driving lamp under

1 this section. A vehicle equipped with a light bar may not use the light bar while the vehicle is operated or parked  
2 on a highway."

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4 **Section 2.** Section 61-9-225, MCA, is amended to read:

5 **"61-9-225. Number of driving lamps required or permitted -- light bar for off-road use only.** (1) At  
6 all times specified in 61-9-201, at least two lighted lamps shall be displayed, one on each side at the front of every  
7 motor vehicle other than a motorcycle, quadricycle, or motor-driven cycle, except when such vehicle is parked,  
8 subject to the regulations governing lights on parked vehicles.

9 (2) Whenever a motor vehicle equipped with headlamps as ~~herein~~ required in this section is also  
10 equipped with any auxiliary lamps or a spot lamp or any other lamp on the front ~~thereof~~ of the vehicle projecting  
11 a beam of intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front  
12 of a vehicle ~~shall~~ may be lighted at any one time when ~~upon~~ on a highway.

13 (3) (a) Whenever a motor vehicle, motorcycle, quadricycle, or motor-driven cycle is equipped with a light  
14 bar of any size, the light bar may be used only for off-road use.

15 (b) When a light bar is in use, the light from the light bar may not shine onto or across a highway."

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