

1 HOUSE BILL NO. 528

2 INTRODUCED BY T. WELCH

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT LIGHT BARS MAY NOT BE CONSIDERED
5 SPOT LAMPS, FOG LAMPS, OR AUXILIARY LAMPS; PROVIDING AN EXCEPTION FOR ORIGINAL
6 EQUIPMENT INSTALLED BY A MANUFACTURER; ALLOWING THE USE OF LIGHT BARS FOR OFF-ROAD
7 USE ~~ONLY~~ AND FOR CERTAIN EMERGENCY OR POLICE VEHICLES; PROHIBITING A LIGHT BAR FROM
8 SHINING LIGHT ONTO OR ACROSS A HIGHWAY; AND AMENDING SECTIONS 61-9-217 AND 61-9-225,
9 MCA."

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

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

14 **"61-9-217. Spot lamps, fog lamps, and auxiliary lamps -- light bars excluded.** (1) A motor vehicle
15 may not be equipped with more than two spot lamps and a lighted spot lamp must be turned off upon approaching
16 another moving vehicle from either direction.

17 (2) A motor vehicle may not be equipped with more than two fog lamps that provide a low, wide-angle
18 light pattern to increase short-range visibility. Fog lamps must be mounted on the front at a height not more than
19 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded
20 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
21 projects higher than a level of 4 inches below the level of the center of the lamp from which it comes. Lighted fog
22 lamps meeting the requirements of this subsection may be used with lower headlamp beams as specified in
23 61-9-220(2). A fog lamp may not be used as a substitute for headlamps.

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

30 (4) An auxiliary off-road lamp mounted more than 42 inches above the level surface upon which the

1 vehicle stands may not be lighted while the vehicle is operated or parked on a highway.

2 (5) A (A) EXCEPT AS PROVIDED IN SUBSECTION (5)(B), A light bar of any size may not be considered a spot
 3 lamp, fog lamp, or auxiliary driving lamp under this section. A vehicle equipped with a light bar may not use the
 4 light bar while the vehicle is operated or parked on a highway.

5 (B) THE PROVISIONS OF SUBSECTION (5)(A) DO NOT APPLY TO A LIGHT BAR THAT HAS BEEN INSTALLED AS PART
 6 OF THE ORIGINAL STANDARD OR OPTIONAL EQUIPMENT BY THE MANUFACTURER OF A VEHICLE."

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

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

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

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

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

20 (4) AUTHORIZED EMERGENCY VEHICLES, EMERGENCY SERVICE VEHICLES, AND POLICE VEHICLES MAY USE LIGHT
 21 BAR AT AN ACCIDENT SCENE OR AN INCIDENT SCENE."

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