

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1955



ENROLLED

HOUSE BILL No. 318

(By Mr. Ballard)



PASSED Mar 1 1955

In Effect Jan Passage



Filed in the Office of the Secretary of State  
of West Virginia MAR 8 1955

**ENROLLED**

**House Bill No. 318**

(BY MR. JOHNSTON)

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[Passed March 1, 1955. in effect from passage.]

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An ACT to amend and reenact sections twenty, twenty-one, twenty-eight and twenty-nine, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to motor vehicle headlamps and approval of vehicle lighting devices.

*Be it enacted by the Legislature of West Virginia:*

That sections twenty, twenty-one, twenty-eight and twenty-nine, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 20. *Multiple-Beam Road Lighting Equipment.*

2 —Except as hereinafter provided, the headlamps or the  
3 auxiliary driving lamp or the auxiliary passing lamp or  
4 combinations thereof, on motor vehicles other than a  
5 motorcycle or motor driven cycles shall be so arranged

6 that the driver may select at will between distributions  
7 of light projected to different elevations and such lamps  
8 may, in addition, be so arranged that such selection can  
9 be made automatically, subject to the following limita-  
10 tions:

11 (a) There shall be an uppermost distribution of light,  
12 or composite beam, so aimed and of such intensity as to  
13 reveal persons and vehicles at a distance of at least three  
14 hundred and fifty feet ahead for all conditions of loading.

15 (b) There shall be a lowermost distribution of light, or  
16 composite beam so aimed and of sufficient intensity to re-  
17 veal persons and vehicles at a distance of at least one hun-  
18 dred feet ahead; and on a straight level road under any  
19 condition of loading none of the high-intensity portion of  
20 the beam shall be directed to strike the eyes of an ap-  
21 proaching driver.

22 (c) Every new motor vehicle, other than a motorcycle  
23 or motor driven cycle, registered in the state after Jan-  
24 uary first, one thousand nine hundred fifty-two, which has  
25 multiple-beam road lighting equipment shall be equipped  
26 with a beam indicator, which shall be lighted whenever

27 the uppermost distribution of light from the head lamps  
28 is in use, and shall not otherwise be lighted. Said indicator  
29 shall be so designed and located that when lighted it will  
30 be readily visible without glare to the driver of the vehicle  
31 so equipped.

Sec. 21. *Use of Multiple-Beam Road-Lighting Equip-*

2 *ment.*—(a) Whenever a motor vehicle is being operated  
3 on a roadway or shoulder adjacent thereto during the  
4 times specified in section two, the driver shall use a dis-  
5 tribution of light, or composite beam, directed high  
6 enough and of sufficient intensity to reveal persons and  
7 vehicles at a safe distance in advance of the vehicle, sub-  
8 ject to the following requirements and limitations:

9 (b) Whenever a driver of a vehicle approaches an on-  
10 coming vehicle within five hundred feet, such driver shall  
11 use a distribution of light, or composite beam, so aimed  
12 that the glaring rays are not projected into the eyes of the  
13 oncoming driver. The lowermost distribution of light, or  
14 composite beam specified in section twenty, paragraph  
15 (b) shall be deemed to avoid glare at all times, regard-  
16 less of road contour and loading.

17 (c) Whenever the driver of a vehicle follows another  
18 vehicle within two hundred feet to the rear, except when  
19 engaged in the act of overtaking and passing, such driver  
20 shall use a distribution of light permissible under this  
21 chapter other than the uppermost distribution of light  
22 specified in paragraph (a) of section twenty.

Sec. 28. *Selling or Using Lamps or Equipment.*—(a)  
2 No person shall have for sale, sell, or offer for sale for use  
3 upon or as a part of the equipment of a motor vehicle,  
4 trailer, or semitrailer, or use upon any such vehicle any  
5 headlamp, auxiliary, or fog lamp, real lamp, signal lamp,  
6 or reflector, which reflector is required hereunder, or  
7 parts of any of the foregoing which tend to change the  
8 original design or performance, unless of a type which has  
9 been submitted to the state road commissioner and ap-  
10 proved by him. The foregoing provisions of this section  
11 shall not apply to equipment in actual use when this sec-  
12 tion is adopted or replacement parts therefor, provided  
13 that such equipment complies with the laws relating  
14 thereto prior to the enactment hereof.

15 (b) No person shall have for sale, sell, or offer for sale

16 for use upon or as a part of the equipment of a motor  
17 vehicle, trailer, or semitrailer any lamp or device men-  
18 tioned in this section which has been approved by the  
19 state road commissioner unless such lamp or device bears  
20 thereon the trademark or name under which it is ap-  
21 proved so as to be legible when installed.

22 (c) No person shall use upon any motor vehicle,  
23 trailer, or semitrailer any lamps mentioned in this section  
24 unless said lamps are mounted, adjusted and aimed in  
25 accordance with instructions of the state road commis-  
26 sioner.

Sec. 29. *Authority of State Road Commissioner with*  
2 *Reference to Lighting Devices.*—(a) The state road com-  
3 missioner is hereby authorized to approve or disapprove  
4 lighting devices and to issue and enforce regulations  
5 establishing standards and specifications for the approval  
6 of such lighting devices, their installation, adjustment and  
7 aiming, and adjustment when in use on motor vehicles.  
8 Such regulations shall correlate with and, so far as practi-  
9 cable, conform to the then current standards and specifi-

10 cations of the society of automotive engineers applicable  
11 to such equipment.

12 (b) The state road commissioner is hereby required  
13 to approve or disapprove any lighting device, of a type on  
14 which approval is specifically required in this chapter,  
15 within a reasonable time after such device has been sub-  
16 mitted.

17 (c) The state road commissioner is further authorized  
18 to set up the procedure which shall be followed when any  
19 device is submitted for approval.

20 (d) The state road commissioner upon approving any  
21 such lamp or device shall issue to the applicant a certifi-  
22 cate of approval together with any instructions deter-  
23 mined by him.

24 (e) The state road commissioner shall publish lists of  
25 all lamps and devices by name and type which have been  
26 approved by him.

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

*[Signature]*  
 Chairman Senate Committee

*[Signature]*  
 Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

*[Signature]*  
 Clerk of the Senate

*[Signature]*  
 Clerk of the House of Delegates

*[Signature]*  
 President of the Senate

*[Signature]*  
 Speaker House of Delegates

The within approved this the 7  
 day of March, 1955.

*[Signature]*  
 Governor



Filed in the Office of the Secretary of State  
 of West Virginia **MAR 8 1955**  
 D. PITT O'BRIEN  
 SECRETARY OF STATE