WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1943

ENROLLED

SENATE BILL No. 77
(By Mr. )

PASSED March 1943

In Effect Thirty days from Passage
ENROLLED
Senate Bill No. 77
(By Mr. Pelter)

[Passed March 12, 1943; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-two, article eight, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to use multiple beam, road-light equipment.

Be it enacted by the Legislature of West Virginia:

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

Section 22. Weight of Commercial Vehicles; Brakes,

2 Horn and Lights on Motor Vehicle; Connection of Trailer
with Towing Vehicle; Commissioner to Furnish Assessors
with List of Vehicles; Invalidity of Part of Act Not to
Affect Remainder. All vehicles used for commercial
purposes shall have plainly marked on the right side
thereof in some conspicuous place the actual weight of
the vehicle, with equipment, and the weight of the
seating or loading capacity of such vehicle.

Every motor vehicle shall be equipped with two sets
of brakes operating independently, except tractors and
traction engines which shall be provided with suitable
brakes.

Every motor vehicle and tractor, when in use on the
roads shall be equipped with a suitable horn or signaling
device for producing an abrupt sound as a signal or
warning of danger. The commissioner shall have the
power to make and enforce suitable regulations govern-
ing the kind and use of such horns or signaling devices.

Every vehicle operated on any road in this state at
night shall be equipped with a lamp, or lamps, as here-
after provided, of sufficient power, and so adjusted
and operated as to enable the operator of such vehicle
to proceed with safety to himself and to other users of
the road under all ordinary conditions of road and
weather.

Every motor vehicle and tractor shall have mounted
on the right and left sides of the front thereof a lamp,
such lamps to be of approximately equal candle power,
and every motorcycle shall have mounted on the front
thereof one lamp. If such vehicles are so mechanically
constructed, governed, or controlled that they cannot
exceed a speed of fifteen miles per hour, they shall have
front lamps capable of furnishing light of sufficient
candle power to render any substantial object clearly
discernible on a level road at least fifty feet directly
ahead, and at the same time at least seven feet to the
right of the axis of such vehicle for a distance of at least
twenty-five feet. If such vehicle can exceed a speed of
fifteen miles per hour, then they shall have front lamps
capable of furnishing light of sufficient candle power
to render any substantial object clearly discernible on
a level road at least two hundred feet directly ahead,
and at the same time at least seven feet to the right of
the axis of such vehicle for a distance of at least one
hundred feet: Provided, That no front lamp capable of
furnishing more than four candle power light shall be
used if equipped with a reflector, unless so designed,
equipped or mounted that no portion of the beam of light,
when projected seventy-five feet or more ahead of the
lamp, shall rise above a plane forty-two inches higher
than and parallel with the level surface upon which
the vehicle stands:
(a) Whenever a motor vehicle is being operated on
a roadway or shoulder adjacent thereto from a half
hour after sunset to a half hour before sunrise,
or at any other time when there is not sufficient light
to render clearly discernible persons and vehicles on
the highway at a distance of 500 feet ahead, the driver
shall use a distribution of light on composite beam, di-
rected high enough and of sufficient intensity to reveal
persons and vehicles at a safe distance in advance of the
vehicle, subject to the following requirements and limi-
tations:
(b) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle but aimed higher than the center of the lamp from which it comes, at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead.

The lower-most distribution of light which shall be deemed to avoid glare at all times, regardless of road contour and loading, shall be as follows:

When the vehicle is not loaded, none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of 10 inches below the level of the center of the lamp from which it comes.
Every trailer and semitrailer, except small two-wheel trailers of one thousand pounds capacity or less, towed closely behind a motor vehicle, and semitrailers when towed alone, whose overall length, in both cases, including towing vehicles and load, does not exceed thirty feet, when on the roads of this state at night, shall carry at the front of its left side one lamp capable of throwing a white light visible from both sides of such vehicle.

Every horsedrawn vehicle, when on any road at night, shall display a light visible from every direction for at least two hundred feet.

Every motor vehicle, tractor, trailer or semitrailer, when on the roads of this state, at night, shall have on the rear thereof, and to the left of the axis thereof, one lamp capable of displaying a red light visible for a distance of at least one hundred feet behind such vehicle: Provided, That when a vehicle is used in conjunction with another vehicle, or vehicles, only the last of such vehicles shall be required to carry such a lamp. Every motor vehicle, tractor trailer and semitrailer when on any road of this state, at night, shall carry a lamp illum-
inating with white light the registration plate of such
vehicle, so that the characters thereon shall be visible
for a distance of at least fifty feet. The commissioner
shall have power to make and enforce reasonable regula-
tions regarding the kind of lighting devices that shall
be used on vehicles.

Trailers, having more than two wheels, when operated
on any road in this state, shall be connected to the towing
vehicle, or preceding trailers, by at least one chain, in
addition to the hitch bar, of sufficient strength to hold
the trailer on a hill if the hitch bar becomes disconnected,
or shall be provided with some other adequate device to
prevent rolling backward down hill.

The commissioner shall also prepare a list as of January
first of each year showing the vehicles registered in
each county of the state, the name and address of the
owner, and the make and year model of the vehicle. A cer-
tified list for each county shall be forwarded to the as-
sessor thereof on or before the first day of February of the
year one thousand nine hundred thirty-four and on the
first day of December of each year thereafter.
127 Any person violating any of the provisions of this
128 section shall be deemed guilty of a misdemeanor, and,
129 upon conviction thereof, shall be fined not less than ten
130 nor more than one hundred dollars.
131 If any section, clauses, sentences, paragraphs, or other
132 part hereof shall for any reason be adjudged by any court
133 of competent jurisdiction to be invalid, such judgment
134 shall not affect, impair or invalidate the remainder hereof,
135 but shall be confined in its operation to the part hereof
136 directly involved in the controversy in which such judg-
137 ment shall be rendered.
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 Senate

Takes effect Ninety days 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 19th
day of March, 1943.

[Signature]
Governor.

Filed in the office of the Secretary of State
of West Virginia MAR 19 1943
Wm. S. O'Brien, Secretary of State