WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 318

(By Mr. Ballard)

PASSED ____________________ 1955

In Effect ____________________ Passage

Filed in the Office of the Secretary of State of West Virginia  MAR 8 1955
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 auxiliary driving lamp or the auxiliary passing lamp or combinations thereon, on motor vehicles other than a motorcycle or motor driven cycles shall be so arranged
that the driver may select at will between distributions
of light projected to different elevations and such lamps
may, in addition, be so arranged that such selection can
be made automatically, subject to the following limita-
tions:
(a) There shall be an uppermost distribution of light,
or composite beam, so aimed and of such intensity as to
reveal persons and vehicles at a distance of at least three
hundred and fifty feet ahead for all conditions of loading.
(b) There shall be a lowermost distribution of light, or
composite beam so aimed and of sufficient intensity to re-
veal persons and vehicles at a distance of at least one hun-
dred feet ahead; and on a straight level road under any
condition of loading none of the high-intensity portion of
the beam shall be directed to strike the eyes of an ap-
proaching driver.
(c) Every new motor vehicle, other than a motorcycle
or motor driven cycle, registered in the state after Jan-
uary first, one thousand nine hundred fifty-two, which has
multiple-beam road lighting equipment shall be equipped
with a beam indicator, which shall be lighted whenever
the uppermost distribution of light from the head lamps
is in use, and shall not otherwise be lighted. Said indicator
shall be so designed and located that when lighted it will
be readily visible without glare to the driver of the vehicle
so equipped.

Sec. 21. Use of Multiple-Beam Road-Lighting Equipment.—(a) Whenever a motor vehicle is being operated
on a roadway or shoulder adjacent thereto during the
times specified in section two, the driver shall use a dis-
tribution of light, or composite beam, directed high
enough and of sufficient intensity to reveal persons and
vehicles at a safe distance in advance of the vehicle, sub-
ject to the following requirements and limitations:
(b) Whenever a driver of a vehicle approaches an on-
coming vehicle within five hundred 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. The lowermost distribution of light, or
composite beam specified in section twenty, paragraph
(b) shall be deemed to avoid glare at all times, regard-
less of road contour and loading.
Whenever the driver of a vehicle follows another vehicle within two hundred feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in paragraph (a) of section twenty.

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

(b) No person shall have for sale, sell, or offer for sale
for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer any lamp or device mentioned in this section which has been approved by the state road commissioner unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

(c) No person shall use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless said lamps are mounted, adjusted and aimed in accordance with instructions of the state road commissioner.

Sec. 29. Authority of State Road Commissioner with Reference to Lighting Devices.—(a) The state road commissioner is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, adjustment and aiming, and adjustment when in use on motor vehicles. Such regulations shall correlate with and, so far as practicable, 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.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Howard Meyer
Clerk of the Senate

E.J. Blansfield
Clerk of the House of Delegates

D.H. Oliver
President of the Senate

W.P. McDonald
Speaker House of Delegates

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

William O. Marland
Governor

Filed in the Office of the Secretary of State of West Virginia

MAR 8 1955
D. Pitt O'Brien
SECRETARY OF STATE