

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

## ENROLLED

SENATE BILL NO. 150

(By Mr. Carson, Mr. President  
and Mr. Barnett)

PASSED March 6, 1965

In Effect from Passage



FILED IN THE OFFICE OF  
JOE F. BURDETT  
SECRETARY OF STATE  
THIS DATE 3-13-65

#150

**ENROLLED**

**Senate Bill No. 150**

(By MR. CARSON, MR. PRESIDENT, and MR. BARNETT)

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[Passed March 6, 1965; in effect from passage.]

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AN ACT to amend and reenact sections nineteen, twenty-six and thirty-one, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to lighting equipment and brakes on motor vehicles.

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

That sections nineteen, twenty-six and thirty-one, 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:

**Article 15. Equipment.**

**Section 19. Additional Lighting Equipment.**—(a) Any  
2 motor vehicle may be equipped with not more than two

3 side cowl or fender lamps which shall emit an amber or  
4 white light without glare.

5 (b) Any motor vehicle may be equipped with not more  
6 than one running-board courtesy lamp on each side there-  
7 of which shall emit a white or amber light without glare.

8 (c) Any motor vehicle may be equipped with not more  
9 than two back-up lamps either separately or in combina-  
10 tion with other lamps, but any such back-up lamp shall  
11 not be lighted when the motor vehicle is in forward  
12 motion.

13 (d) Any vehicle may be equipped with lamps which  
14 may be used for the purpose of warning the operators of  
15 other vehicles of the presence of a vehicular traffic hazard  
16 requiring the exercise of unusual care in approaching,  
17 overtaking or passing, and when so equipped may display  
18 such warning in addition to any other warning signals  
19 required by this act. The lamps used to display such  
20 warning to the front shall be mounted at the same level  
21 and as widely spaced laterally as practicable and shall dis-  
22 play simultaneously flashing white or amber lights, or  
23 any shade of color between white and amber. The lamps

24 used to display such warning to the rear shall be mounted  
25 at the same level and as widely spaced laterally as prac-  
26 ticable, and shall show simultaneously flashing amber or  
27 red lights, or any shade of color between amber and red.

**Sec. 26. Special Restrictions on Lamps.**—(a) Any  
2 lighted lamp or illuminating device upon a motor vehicle  
3 other than head lamps, spot lamps, auxiliary lamps, or  
4 flashing front-direction signals which projects a beam of  
5 light of an intensity greater than three hundred candle  
6 power shall be so directed that no part of the beam will  
7 strike the level of the roadway on which the vehicle  
8 stands at a distance of more than seventy-five feet from  
9 the vehicle.

10 (b) No person shall drive or move any vehicle or  
11 equipment upon any highway with any lamp or device  
12 thereon displaying a red light visible from directly in  
13 front of the center thereof. This section shall not apply  
14 to any vehicle upon which a red light visible from the  
15 front is expressly authorized or required by this chapter.

16 (c) Except as authorized in section nineteen, flashing  
17 lights are prohibited on motor vehicles, except on an

18 authorized emergency vehicle, school bus, snow removal  
19 equipment, or on any vehicle as a means for indicating a  
20 right or left turn.

**Sec. 31. Brakes.—(a) Brake equipment required.—**

2 (1) Every motor vehicle, other than a motorcycle or  
3 motor-driven cycle, when operated upon a highway shall  
4 be equipped with brakes adequate to control the move-  
5 ment of and to stop and hold such vehicle, including two  
6 separate means of applying the brakes, each of which  
7 means shall be effective to apply the brakes to at least  
8 two wheels. If these two separate means of applying the  
9 brakes are connected in any way, they shall be so con-  
10 structed that failure of any one part of the operating  
11 mechanism shall not leave the motor vehicle without  
12 brakes on at least two wheels.

13 (2) Every motorcycle and every motor-driven cycle,  
14 when operated upon a highway, shall be equipped with  
15 at least one brake which may be operated by hand or  
16 foot.

17 (3) Every trailer or semi-trailer of a gross weight of  
18 three thousand pounds or more when operated upon a

19 highway shall be equipped with brakes adequate to con-  
20 trol the movement of and to stop and to hold such vehicle  
21 and so designed as to be applied by the driver of the  
22 towing motor vehicles from its cab, and said brakes shall  
23 be so designed and connected that in case of an accidental  
24 breakaway of the towed vehicle the brakes shall be auto-  
25 matically applied.

26 (4) Every new motor vehicle, trailer or semi-trailer  
27 hereinafter sold in this state and operated upon the high-  
28 ways shall be equipped with service brakes upon all  
29 wheels, with the following exceptions: (1) That trucks and  
30 truck-tractors having three or more axles need not have  
31 brakes on the front wheels, except when such vehicles  
32 are equipped with at least two steerable axles, the wheels  
33 of one such axle need not be equipped with brakes, and  
34 (2) any motorcycle or motor-driven cycle, and except  
35 that any semi-trailer of less than one thousand five hun-  
36 dred pounds gross weight need not be equipped with  
37 brakes.

38 (5) In any combination of motor-driven vehicles, means  
39 shall be provided for applying the rearmost trailer brakes,

40 of any trailer equipped with brakes, in approximate syn-  
41 chronism with the brakes on the towing vehicles and  
42 developing the required braking effort on the rearmost  
43 wheels at the fastest rate; or means shall be provided  
44 for applying braking effort first on the rearmost trailer  
45 equipped with brakes; or both of the above means capa-  
46 ble of being used alternatively may be employed.

47 (6) Every such vehicle and combination of vehicles,  
48 except motorcycles and motor-driven cycles, shall be  
49 equipped with parking brakes adequate to hold the ve-  
50 hicle on any grade on which it is operated, under all  
51 conditions of loading on a surface free from snow, ice,  
52 or loose material. The parking brakes shall be capable  
53 of being applied in conformance with the foregoing re-  
54 quirements by the driver's muscular effort or by spring  
55 action or by equivalent means. Their operation may be  
56 assisted by the service brakes or other source of power  
57 provided that failure of the service brake actuation sys-  
58 tem or other power assisting mechanism will not prevent  
59 the parking brakes from being applied in conformance  
60 with the foregoing requirements. The parking brakes

61 shall be so designed that when once applied they shall  
62 remain applied with the required effectiveness despite  
63 exhaustion of any source of energy or leakage of any  
64 kind. The same brake drums, brake shoes and lining  
65 assemblies, brake shoe anchors and mechanical brake  
66 shoe actuation mechanism normally associated with the  
67 wheel brake assemblies may be used for both the service  
68 brakes and the parking brakes. If the means of applying  
69 the parking brakes and the service brakes are connected  
70 in any way, they shall be so constructed that a failure  
71 of any one part shall not leave the vehicle without opera-  
72 tive brakes.

73 (7) The brake shoes operating within or upon the  
74 drums on the vehicle wheels of any motor vehicle may be  
75 used for both service and hand operation.

76 (b) Performance ability of brakes.—Every motor ve-  
77 hicle or combination of motor-drawn vehicles shall be  
78 capable, at all times and under all conditions of loading,  
79 of being stopped on a dry, smooth, level road free from  
80 loose material, upon application of the service (foot)  
81 brake, within the distances specified below, or shall be



82 capable of being decelerated at a sustained rate corre-  
83 sponding to these distances:

	Feet to stop from 20 miles per hour	Deceleration in feet per second
84 Vehicles or combinations of vehicles		
85 having brakes on all wheels	30	14
86 Vehicles or combinations of vehicles		
87 not having brakes on all wheels	40	10.7

88 (c) Maintenance of brakes.—All brakes shall be main-  
89 tained in good working order and shall be so adjusted as  
90 to operate as equally as practicable with respect to the  
91 wheels on opposite sides of the vehicle.

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

*O. Roy Parker*  
Chairman Senate Committee

*James W. Loop*  
Chairman House Committee

Originated in the Senate.

Takes effect *from* Passage.

*Harold Keyes*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Harold W. Gasson*  
President of the Senate

*H. Laban White*  
Speaker House of Delegates

The within \_\_\_\_\_ this the \_\_\_\_\_

day of \_\_\_\_\_, 1965.

*Wesley C. Smith*  
Governor



Presented to the Governor's Office  
March 10, 1965  
11:16 a.m.