WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 150

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

PASSED March 6, 1965

In Effect

 Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-13-65
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 motor vehicle may be equipped with not more than two
Enr. S. B. No. 150] 2

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

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

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

(d) Any vehicle may be equipped with lamps which
may be used for the purpose of warning the operators of
other vehicles of the presence of a vehicular traffic hazard
requiring the exercise of unusual care in approaching,

overtaking or passing, and when so equipped may display
such warning in addition to any other warning signals
required by this act. The lamps used to display such
warning to the front shall be mounted at the same level
and as widely spaced laterally as practicable and shall dis-
play simultaneously flashing white or amber lights, or
any shade of color between white and amber. The lamps
used to display such warning to the rear shall be mounted
at the same level and as widely spaced laterally as prac-
ticable, and shall show simultaneously flashing amber or
red lights, or any shade of color between amber and red.

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

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

(c) Except as authorized in section nineteen, flashing
lights are prohibited on motor vehicles, except on an
18. authorized emergency vehicle, school bus, snow removal equipment, or on any vehicle as a means for indicating a right or left turn.

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

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

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

4. (3) Every trailer or semi-trailer of a gross weight of three thousand pounds or more when operated upon a
highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicles from its cab, and said brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes shall be automatically applied.

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

(5) In any combination of motor-driven vehicles, means shall be provided for applying the rearmost trailer brakes,
of any trailer equipped with brakes, in approximate syn-
chronism with the brakes on the towing vehicles and
developing the required braking effort on the rearmost
wheels at the fastest rate; or means shall be provided
for applying braking effort first on the rearmost trailer
equipped with brakes; or both of the above means capa-
bile of being used alternatively may be employed.

(6) Every such vehicle and combination of vehicles,
except motorcycles and motor-driven cycles, shall be
equipped with parking brakes adequate to hold the ve-
hicle on any grade on which it is operated, under all
conditions of loading on a surface free from snow, ice,
or loose material. The parking brakes shall be capable
of being applied in conformance with the foregoing re-
quirements by the driver's muscular effort or by spring
action or by equivalent means. Their operation may be
assisted by the service brakes or other source of power
provided that failure of the service brake actuation sys-
tem or other power assisting mechanism will not prevent
the parking brakes from being applied in conformance
with the foregoing requirements: The parking brakes
shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that a failure of any one part shall not leave the vehicle without operative brakes.

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

(b) Performance ability of brakes.—Every motor vehicle or combination of motor-drawn vehicles shall be capable, at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be
82 capable of being decelerated at a sustained rate corre-
83 sponding to these distances:

<table>
<thead>
<tr>
<th>Feet to stop from 20 miles per hour</th>
<th>Deceleration in feet per second</th>
</tr>
</thead>
<tbody>
<tr>
<td>84 Vehicles or combinations of vehicles</td>
<td></td>
</tr>
<tr>
<td>85 having brakes on all wheels</td>
<td>30</td>
</tr>
<tr>
<td>86 Vehicles or combinations of vehicles</td>
<td>40</td>
</tr>
<tr>
<td>87 not having brakes on all wheels</td>
<td>40</td>
</tr>
</tbody>
</table>

(c) Maintenance of brakes.—All brakes shall be main-
89 tained in good working order and shall be so adjusted as
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.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect from Passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the day of , 1965.

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