
HOUSE BILL No. 1238

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19; IC 9-21-7-2.

Synopsis: Headlights on motor vehicles when wipers in use. Requires a vehicle to display lighted head lamps and illuminating devices when weather conditions require the continuous operation of windshield wipers on a motor vehicle. Makes conforming changes.

Effective: July 1, 2005.

Crooks

January 6, 2005, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1238



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-19-6-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The requirements in this
3 chapter setting forth the distance from which certain lamps and devices
4 are required to render objects visible or within which the lamps or
5 devices are required to be visible apply:

- 6 (1) ~~during~~ **under** the ~~times~~ **circumstances** stated in IC 9-21-7-2;
- 7 (2) with respect to a vehicle without load; and
- 8 (3) when upon a straight, level, unlighted highway under normal
- 9 atmospheric conditions;
- 10 unless a different time or condition is expressly stated.

11 (b) The mounted heights of lamps or devices required in this chapter
12 are measured from the center of the lamp or device to the level ground
13 upon which the vehicle stands when the vehicle is without a load.

14 SECTION 2. IC 9-19-6-3 IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) A motor vehicle other than a
16 motorcycle or motor-driven cycle must be equipped with at least two
17 (2) head lamps, with at least one (1) of the head lamps on each side of



1 the front of the motor vehicle. The head lamps must comply with this
2 chapter.

3 (b) Except as provided in subsection (c), a motorcycle and
4 motor-driven cycle must be equipped with ~~at least one (1) and not more~~
5 ~~than or two (2)~~ head lamps that comply with this chapter.

6 (c) A motorcycle manufactured before January 1, 1956, is not
7 required to be equipped with a head lamp if the motorcycle is not
8 operated ~~at under the times circumstances~~ when lighted head lamps
9 and other illuminating devices are required under IC 9-21-7-2.

10 (d) A head lamp upon a motor vehicle, including a motorcycle and
11 motor-driven cycle, must be located at a height measured from the
12 center of the head lamp of ~~not less than at least~~ twenty-four (24) inches
13 and not more than fifty-four (54) inches to be measured as set forth in
14 section 2(b) of this chapter.

15 SECTION 3. IC 9-19-6-5 IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as provided in
17 subsections (b) through (d), a new motor vehicle sold and operated
18 upon a highway, other than a truck-tractor, must carry on the rear,
19 either as a part of the tail lamps or separately, two (2) red reflectors.

20 (b) Except as provided in subsection (c), a motorcycle and
21 motor-driven cycle must carry at least one (1) reflector meeting the
22 requirements of this section.

23 (c) A motorcycle manufactured before January 1, 1956, is not
24 required to carry a reflector under this section if the motorcycle is not
25 operated ~~at under the times circumstances~~ when lighted head lamps
26 and other illuminating devices are required under IC 9-21-7-2.

27 (d) A vehicle of the type listed in section 7 of this chapter must be
28 equipped with reflectors as required in those sections applicable to
29 those vehicles.

30 (e) A reflector must be mounted on a vehicle at a height ~~not less~~
31 ~~than of at least~~ twenty (20) inches and not more than sixty (60) inches
32 as measured in the manner set forth in section 2(b) of this chapter.
33 Except as otherwise provided, a reflector must be of the size and
34 characteristics and mounted so as to be visible at night from all
35 distances within three hundred fifty (350) feet to one hundred (100)
36 feet from the vehicle when directly in front of lawful upper beams of
37 head lamps.

38 SECTION 4. IC 9-19-6-6 IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) Except as provided in
40 subsection (b), a person may not:

- 41 (1) sell; or
- 42 (2) drive on the highways;

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1 in Indiana a motor vehicle, including a motorcycle or motor-driven
2 cycle unless the vehicle is equipped with at least one (1) stoplight
3 meeting the requirements of section 17 of this chapter.

4 (b) A motorcycle manufactured before January 1, 1956, is not
5 required to be equipped with a stoplight under subsection (a) if the
6 motorcycle is not operated ~~at~~ **under** the ~~times~~ **circumstances** when
7 lighted head lamps and other illuminating devices are required under
8 IC 9-21-7-2.

9 (c) This subsection does not apply to a motorcycle or motor-driven
10 cycle. A person may not:

- 11 (1) sell;
- 12 (2) offer for sale; or
- 13 (3) operate on the highways;

14 a motor vehicle, trailer, or semitrailer registered in Indiana and
15 manufactured or assembled after January 1, 1956, unless the vehicle is
16 equipped with mechanical or electrical turn signals meeting the
17 requirements of section 17 of this chapter.

18 SECTION 5. IC 9-19-6-10 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) A reflector upon
20 a vehicle referred to in section 7 of this chapter must be of the size and
21 characteristics and maintained so as to be readily visible at nighttime
22 from all distances within six hundred (600) feet to one hundred (100)
23 feet from the vehicle when directly in front of the lawful upper beams
24 of head lamps. A reflector required to be mounted on the side of a
25 vehicle must reflect the required color of light to the sides, and a
26 reflector mounted on the rear must reflect a red color to the rear.

27 (b) A front or rear clearance lamp must be capable of being seen and
28 distinguished under normal atmospheric conditions ~~at~~ **under** the ~~times~~
29 **circumstances** lights are required under IC 9-21-7-2 at a distance of
30 five hundred (500) feet from the front and rear, respectively, of the
31 vehicle.

32 (c) A side marker lamp must be capable of being seen and
33 distinguished under normal atmospheric conditions ~~at~~ **under** the ~~times~~
34 **circumstances** lights are required under IC 9-21-7-2 at a distance of
35 five hundred (500) feet from the side of the vehicle on which the side
36 marker lamps are mounted.

37 SECTION 6. IC 9-19-6-11 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) A farm tractor
39 and a self-propelled farm equipment unit or an implement of husbandry
40 not equipped with an electric lighting system must, ~~at all times~~ **under**
41 **the circumstances** required by IC 9-21-7-2, be equipped with the
42 following:

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1 (1) At least one (1) lamp displaying a white light visible from a
2 distance of not less than five hundred (500) feet to the front of the
3 vehicle.

4 (2) At least one (1) lamp displaying a red light visible from a
5 distance of not less than five hundred (500) feet to the rear of the
6 vehicle.

7 (3) Two (2) red reflectors visible from a distance of one hundred
8 (100) feet to six hundred (600) feet to the rear when illuminated
9 by the upper beams of head lamps.

10 The lights required by this subsection must be positioned so that one
11 (1) lamp showing to the front and one (1) lamp or reflector showing to
12 the rear will indicate the furthest projection of the tractor, unit, or
13 implement on the side of the road used in passing the vehicle.

14 (b) A combination of farm tractor and towed unit of farm equipment
15 or implement of husbandry not equipped with an electric lighting
16 system must, ~~at all times~~ **under the circumstances** required by
17 IC 9-21-7-2, be equipped with two (2) red reflectors that meet the
18 following requirements:

19 (1) Are visible from a distance of one hundred (100) feet to six
20 hundred (600) feet to the rear when illuminated by the upper
21 beams of head lamps.

22 (2) Are mounted in a manner so as to indicate as nearly as
23 practicable the extreme left and right rear projections of the towed
24 unit or implement on the highway.

25 (c) A farm tractor and a self-propelled unit of farm equipment or an
26 implement of husbandry equipped with an electric lighting system
27 must, ~~at all times~~ **under the circumstances** required by IC 9-21-7-2,
28 be equipped with the following:

29 (1) Two (2) single-beam or multiple-beam head lamps meeting
30 the requirements of section 20 or 21 of this chapter IC 9-21-7-9.

31 (2) Two (2) red lamps visible from a distance of not less than five
32 hundred (500) feet to the rear, or in the alternative, one (1) red
33 lamp visible from a distance of not less than five hundred (500)
34 feet to the rear and two (2) red reflectors visible from a distance
35 of one hundred (100) feet to six hundred (600) feet to the rear
36 when illuminated by the upper beams of head lamps.

37 The red lamps or reflectors must be mounted in the rear of the farm
38 tractor or self-propelled implement of husbandry so as to indicate as
39 nearly as practicable the extreme left and right projections of the
40 vehicle on the highways.

41 (d) A combination of farm tractor and towed farm equipment or
42 towed implement of husbandry equipped with an electric lighting

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1 system must, ~~at all times under the circumstances~~ required by
2 IC 9-21-7-2, be equipped as follows:

3 (1) The farm tractor element of each combination must be
4 equipped with two (2) single-beam or multiple-beam head lamps
5 meeting the requirements of section 20 or 21 of this chapter **or**
6 IC 9-21-7-9.

7 (2) The towed unit of farm equipment or implement of husbandry
8 element of each combination must be equipped with the
9 following:

10 (A) Two (2) red lamps visible from a distance of not less than
11 five hundred (500) feet to the rear, or as an alternative, one (1)
12 red lamp visible from a distance of not less than five hundred
13 (500) feet to the rear.

14 (B) Two (2) red reflectors visible from a distance of one
15 hundred (100) feet to six hundred (600) feet to the rear when
16 illuminated by the upper beams of head lamps.

17 The red lamps or reflectors must be located so as to indicate as
18 nearly as practicable the extreme left and right rear projections of
19 the towed unit or implement on the highway.

20 (3) A combination of farm tractor and towed farm equipment or
21 towed implement of husbandry equipped with an electric lighting
22 system must be equipped with the following:

23 (A) A lamp displaying a white or an amber light, or any shade
24 of color between white and amber, visible from a distance of
25 not less than five hundred (500) feet to the front.

26 (B) A lamp displaying a red light visible from a distance of not
27 less than five hundred (500) feet to the rear.

28 The lamps must be installed or capable of being positioned so as
29 to indicate to the front and rear the furthest projection of that
30 combination on the side of the road used by other vehicles in
31 passing that combination.

32 (e) A farm tractor, a self-propelled farm equipment unit, or an
33 implement of husbandry must not display blinding field or flood lights
34 when operated on a highway.

35 (f) All rear lighting requirements may be satisfied by having a
36 vehicle with flashing lights immediately trail farm equipment in
37 accordance with IC 9-21-7-11.

38 SECTION 7. IC 9-19-6-12 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. A vehicle,
40 including an animal-drawn vehicle and a vehicle referred to in
41 IC 9-19-1-1 not specifically required by this article to be equipped with
42 lamps or other lighting devices, must, ~~at all times under the~~

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1 **circumstances** required by IC 9-21-7-2, be equipped with at least two
2 (2) red reflectors visible from distances of one hundred (100) feet to six
3 hundred (600) feet to the rear when illuminated by the upper beams of
4 head lamps.

5 SECTION 8. IC 9-19-6-17 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17. (a) A motor vehicle
7 may be equipped, and when required under this chapter must be
8 equipped, with a stop lamp or lamps on the rear of the vehicle that:

- 9 (1) displays a red or an amber light, or any shade of color between
- 10 red and amber, visible from a distance of not less than one
- 11 hundred (100) feet to the rear in normal sunlight;
- 12 (2) will be actuated upon application of the service (foot) brake;
- 13 and
- 14 (3) may be incorporated with at least one (1) other rear lamp.

15 (b) A motor vehicle may be equipped and when required under this
16 chapter must be equipped with lamps or mechanical signal devices
17 showing to the front and rear for the purpose of indicating an intention
18 to turn either to the right or left. If lamps are used for this purpose, the
19 lamps showing to the front must be located on the same level and as
20 widely spaced laterally as practicable and when in use must display a
21 white or an amber light, or any shade of color between white and
22 amber, visible from a distance of not less than one hundred (100) feet
23 to the front in normal sunlight. The lamps showing to the rear must be
24 located at the same level and as widely spaced laterally as practicable
25 and when in use must display a red or an amber light, or any shade of
26 color between red and amber, visible from a distance of not less than
27 one hundred (100) feet to the rear in normal sunlight. When actuated
28 the lamps must indicate the intended direction of turning by flashing
29 the lights showing to the front and rear on the side toward which the
30 turn is made. If mechanical signal devices are used for this purpose, the
31 devices must be self-illuminated when in use **at under the times**
32 **circumstances** required by IC 9-21-7-2.

33 (c) A stop lamp or signal lamp or device may not project a glaring
34 light.

35 SECTION 9. IC 9-19-7-2 IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) Except as provided in
37 subsection (b), a motorcycle operated on the streets or highways by a
38 resident of Indiana must meet the following requirements:

- 39 (1) Be equipped with handlebars that rise not more than fifteen
- 40 (15) inches above the level of the driver's seat or saddle, when
- 41 occupied.
- 42 (2) Be equipped with brakes in good working order on both front

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1 and rear wheels.
 2 (3) Be equipped with footrests or pegs for both operator and
 3 passenger.
 4 (4) Be equipped with lamps and reflectors meeting the standards
 5 of the United States Department of Transportation.
 6 (b) A motorcycle manufactured before January 1, 1956, is not
 7 required to be equipped with lamps and other illuminating devices
 8 under subsection (a) if the motorcycle is not operated **at under the**
 9 **times circumstances** when lighted head lamps and other illuminating
 10 devices are required under IC 9-21-7-2.
 11 SECTION 10. IC 9-21-7-2 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) Except as
 13 provided in subsection (b) and section 8 of this chapter, ~~each~~ a vehicle
 14 ~~upon~~ on an Indiana highway **must display lighted head lamps and**
 15 **other illuminating devices as required for the different classes of**
 16 **vehicles under this chapter when the vehicle is operated under the**
 17 **following circumstances:**
 18 (1) Between the time from sunset to sunrise. ~~and~~
 19 (2) **Whenever weather conditions require continuous**
 20 **operation of windshield wipers on the windshield of a motor**
 21 **vehicle.**
 22 ~~(2)~~ (3) At any other time when, due to insufficient light or
 23 unfavorable atmospheric conditions, persons and vehicles on the
 24 highway are not clearly discernible at a distance of five hundred
 25 (500) feet ahead.
 26 ~~must display lighted head lamps and other illuminating devices as~~
 27 ~~required for different classes of vehicles under this chapter.~~
 28 (b) All lamp equipment required for vehicles described in IC 9-19-6
 29 shall be lighted **at under the times circumstances** mentioned in
 30 subsection (a), except that clearance and sidemarker lamps are not
 31 required to be lighted on a vehicle when the vehicle is operated within
 32 a municipality if there is sufficient light to render clearly discernible
 33 persons and vehicles on the highway at a distance of five hundred (500)
 34 feet.

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